

THE UNITED STATES ATTORNEY'S OFFICE
SOUTHERN DISTRICT *of* TEXAS

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Department of Justice

U.S. Attorney's Office

Southern District of Texas

FOR IMMEDIATE RELEASE

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McAllen Woman Charged in Multi-Million Dollar Kickback Conspiracy

McALLEN, Texas – A local marketer has been charged for her role in a multi-million dollar illegal kickback conspiracy involving a pharmacy in the Rio Grande Valley and doctors throughout Texas, announced U.S. Attorney Ryan K. Patrick.

Victoria Renee Guerra, 35, of McAllen, made her initial appearance before U.S. Magistrate Judge Scott Hacker this morning.

According to the criminal information, Guerra was a licensed pharmacist and worked as a marketer for a pharmacy - identified as "Pharmacy A."

In her role as a purported marketer, Guerra allegedly recruited physicians to write prescriptions for expensive compound drugs to be filled by Pharmacy A, and for which the pharmacy would bill federal health care programs.

During an approximately two-year period starting in late 2014, the owner of Pharmacy A paid Guerra approximately \$7.5 million in return for compound drug prescriptions physicians written whom Guerra recruited. In turn, Guerra allegedly paid a cut of the payments from Pharmacy A to the prescribing physicians. For example, the complaint alleges Guerra paid approximately \$2.1 million in kickbacks to just a physician for sending prescriptions to Pharmacy A.

During the conspiracy, Pharmacy A submitted claims totaling approximately \$42.2 million to the U.S. Department of Labor, Office of Workers Compensation Program, for prescriptions that doctor had written for beneficiaries of the Federal Employee's Compensation Act, according to the charges.

Guerra is charged with conspiracy to violate the federal anti-kickback statute which prohibits the payment of kickbacks to induce physicians to write prescriptions for which payment may be made in whole or in part under a federal health care benefit program. If convicted, Guerra faces up to five years in federal prison and a possible \$25,000 maximum fine.

The U.S. Postal Service – Office of Inspector General (OIG), Department of Labor – OIG, FBI, Veterans Affairs – OIG, Defense Criminal Investigative Service and the Drug Enforcement Administration conducted

the administration conducted the investigation. Assistant U.S. Attorney Andrew Swartz is prosecuting the case.

***A criminal information is an accusation of criminal conduct, not evidence.
A defendant is presumed innocent unless convicted through due process of law.***

Topic(s):

Health Care Fraud

Component(s):

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