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WESTERN DISTRICT *of* KENTUCKY

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Department of Justice

U.S. Attorney's Office

Western District of Kentucky

FOR IMMEDIATE RELEASE

Tuesday, June 15, 2021

## Kentuckiana Physician And Nurse Practitioner Found Guilty Of Conspiracy To Distribute Controlled Substances, Conspiracy To Commit Health Care Fraud, And Conspiracy To Commit Money Laundering

LOUISVILLE – On Friday, June 11, 2021, a federal jury convicted a Louisville physician, nurse practitioner, and the medical practice in United States District Court, before District Judge Rebecca G. Jennings, of conspiracy to unlawfully distribute and dispense controlled substances, conspiracy to commit health care fraud, and conspiracy to commit money laundering.

Following a six-week trial, the jury deliberated approximately three days before finding Dr. Jeffrey Campbell, Advanced Practice Registered Nurse Mark Dyer, and Physicians Primary Care, PLLC ("PPC"), guilty on 13 of 22 charges. Sentencing is scheduled before Judge Jennings on September 8, 2021, at 9 a.m., in Louisville.

The jury found Campbell, Dyer, and PPC guilty of unlawfully distributing and dispensing controlled substances, not for a legitimate medical purpose and outside the usual course of professional practice between January 1, 2009, and December 1, 2016. The controlled substances prescribed were Oxycodone and Methadone, schedule II controlled substances. The jury also found Campbell, Dyer, and PPC guilty of committing health care fraud for falsely and fraudulently billing Kentucky Medicaid (Passport), Indiana Medicaid and Medicare by submitting claims for physical therapy, counseling and exercise services using evaluation and management codes in order to obtain higher reimbursement. Campbell and Dyer were also convicted of money laundering for paying and/or receiving bonuses to incentivize the ordering of physical therapy, counseling, and exercise. Finally, Campbell and Dyer were convicted of billing for physical therapy services using evaluation and management codes as if a physician performed a service on the patients, but in reality, a non-physician and non-physical therapist performed the service on the patients.

"I commend the outstanding work of the prosecution team and that of the agents and investigators who worked on this case," stated Acting U.S. Attorney Michael A. Bennett. "The unlawful distribution of controlled substances by medical professionals entrusted with the health and well-being of our citizens is extremely troubling. This office, working with our federal and state partners, will continue to vigorously pursue this kind of criminal conduct, as well as all forms of health care fraud, throughout the entire Western District of Kentucky."

"The unlawful distribution and dispensing of controlled substances with no legitimate medical purpose and the fraudulent billing of federally funded health care programs will not be tolerated," said Lamont Pugh III, Special Agent in Charge, U.S. Department of Health & Human Services, Office of Inspector General – Chicago Region. "These convictions send a strong message that the OIG and our law enforcement and prosecutorial partners are committed to protecting the health and safety of patients and taxpayer dollars."

"Physicians and medical professionals take an oath that obligates them to do no harm. Dr. Campbell, Mark Dyer, and the other defendants willingly broke that oath – by providing unnecessary drugs and defrauding various benefits programs – solely to line their pockets," said Special Agent in Charge Robert Brown of the FBI's Louisville Field Office. "Today's guilty verdict sends a message to those who prioritize profit over care: The FBI and its partners will root out physicians and healthcare professionals who let dollar signs rather than medical needs drive their treatment of patients."

"Today's announcement illustrates IRS CI's commitment to combatting healthcare fraud and those who launder proceeds of healthcare fraud," said Bryant Jackson, Special Agent in Charge, IRS, Criminal Investigation. "I applaud the terrific efforts of the trial team and our law enforcement partners in investigating and prosecuting this important case."

"It is unthinkable for medical providers to put our military personnel and their families in harm's way, just to make money off the system," stated Special Agent in Charge Cynthia Bruce, DCIS Southeast Field Office. "We will continue to seek out these bad actors to ensure we are protecting America's warfighters and combating the opioid crisis in our country."

Assistant United States Attorneys Joseph Ansari, Lettricia Jefferson-Webb and Christopher Tieke prosecuted the case. Elizabeth Fauxpoint, paralegal, and Bob Masterson, health care fraud investigator, assisted the prosecution team. The case was investigated by the United States Department for Health

and Human Services (HHS), Defense Criminal Investigative Services (DCIS), Internal Revenue Service (IRS), Federal Bureau of Investigation (FBI), United States Drug Enforcement Administration (DEA), the Indiana Attorney General's Office and the Kentucky Medicaid Fraud Control Unit (MFCU).

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Updated June 15, 2021