

# Lowell Physicians Settle Drug Diversion Allegations

Two Lowell-based physicians have agreed to settle with the U.S. Attorney's Office to resolve allegations of improper dispensing of controlled substances and improper billing.

Dr. Hung K. Do and his addiction treatment clinic, H.K.D. Treatment Options, have agreed to pay \$23,000 to settle claims of improper billing of medical services under the Controlled Substances Act and the False Claims Act. Dr. Vasumathi Brown, a physician employed by H.K.D., has agreed to pay a \$12,500 civil penalty for issuing invalid prescriptions for controlled substances under the Controlled Substances Act.

It is alleged that, at Dr. Do's direction, Dr. Brown signed hundreds of blank prescriptions for use by unsupervised non-physician staff while Dr. Brown was on vacation abroad in December 2016. Ultimately, unsupervised non-physician staff issued over 600 prescriptions for controlled substances using the pre-signed blank prescriptions. It is further alleged that Dr. Do subsequently billed Medicare improperly for services related to the prescriptions that non-physician staff provided in Dr. Brown's absence, and that Dr. Do falsely reported to Medicare that Dr. Brown supervised those services.

"Ensuring the proper handling of prescriptions is a critical part of our ongoing efforts to maintain patient safety and prevent drug diversion," said United States Attorney Andrew E. Lelling. "Our success in fighting the opioid crisis depends on the diligence of prescribers in ensuring that those seeking addiction treatment receive proper medical supervision."

"In response to the ongoing opioid epidemic DEA's obligation is to improve public safety and public health," said DEA Special Agent in Charge Brian D. Boyle. "We are committed to

working with our law enforcement and regulatory partners to ensure that rules and regulations that protect against drug diversion and promote responsible dispensing of controlled substances are followed.”

“We entrust physicians and their medical practices to medically care for their patients, honestly bill for services, and ensure that taxpayers’ healthcare dollars are properly spent, ” said Phillip Coyne Special Agent in Charge of the U.S. Department of Health and Human Services Office of Inspector General. “HHS-OIG will continue to pursue penalties against medical providers who inappropriately bill Medicare and potentially jeopardize patient safety by failing to properly manage their prescribing of controlled substances.”

“This settlement highlights the FBI’s commitment to combating the illegal distribution of opioids by medical professionals,” said Harold H. Shaw, Special Agent in Charge of the Federal Bureau of Investigation, Boston Field Division. “We’re committed to working with our law enforcement partners to make sure dishonest health care professionals who exploit Medicare through fraudulent billing and other schemes will be held accountable.”

U.S. Attorney Lelling, DEA SAC Boyle, HHS-OIG SAC Coyne, and FBI SAC Shaw, made the announcement today. Assistant U.S. Attorneys Kriss Basil and Doreen Rachal of Lelling’s Office handled the matter.