



**Office of Attorney General
Terry Goddard**



CONTACTS

Special Agent Ramona Sanchez, DEA, (602) 664-5725
Anne Hilby, Attorney General's Office, (602) 542-8019

FOR IMMEDIATE RELEASE

Physician Accused of Multiple Crimes in Massive Prescription Drug Case

(Phoenix, Ariz. — July 13, 2009) Drug Enforcement Administration (DEA) Special Agent in Charge Elizabeth W. Kempshall and Attorney General Terry Goddard today announced the filing of felony charges and the Maricopa County Superior Court's issuance of a \$10 million seizure warrant against a Nevada doctor who allegedly wrote illegal drug prescriptions for patients at a clinic he operated in Mohave County. He also allegedly collected \$3.5 million in fraudulent insurance claims, including \$2.5 million from the State of Arizona.

The 14 felony counts against Dr. Albert Szu Sun Yeh, 44, of Las Vegas, include conspiracy, assisting a criminal syndicate, money laundering and administering narcotic drugs. In a separate indictment, seven felony counts were filed against Dr. Yeh's physician assistant, Bryan V. Espinosa, 54, of Henderson, Nevada.

If convicted, the defendants face a maximum of 12.5 years for each count of administering a narcotic drug, 12.5 years for each count of conspiracy, 8.75 years for each count of money laundering and 3.75 years for each count of assisting a criminal syndicate.

"Prescription drug abuse is a dangerous and growing problem in Arizona," Goddard said. "Doctors are entrusted with the responsibility to heal, not to harm. I am proud to partner with the DEA and law enforcement across our state to fight back against those who break that trust and poison our communities with this kind of large-scale drug abuse."

"DEA will stand firm on its commitment to investigate and prosecute any medical practitioner who violates the laws of the United States when prescribing controlled substances other than for legitimate medical needs," Kempshall said. "Dr. Yeh did not practice medicine; he dealt drugs; such doctors do great harm to the public and the medical profession."

Dr. Yeh, who is licensed to practice in both Nevada and Arizona, maintained a practice in Las Vegas and saw Arizona patients only on Tuesdays at his Pain Wellness Center in Golden Valley, Ariz., a town with a population of about 5,000 near Kingman. He would typically write more than 100 prescriptions each Tuesday the center was open, investigators said.

During the past five years, Dr. Yeh routinely wrote prescriptions not in accordance with generally accepted medical standards and in violation of Arizona drug laws, according to a

seizure warrant affidavit sworn to by DEA Tactical Diversion Task Force Officers and filed by the Attorney General's Office. The affidavit alleged Dr. Yeh wrote prescriptions for his Arizona patients, including undercover investigators, without obtaining a complete medical history, conducting an appropriate medical examination or establishing the presence of chronic pain, all in violation of the Arizona Medical Practice Act.

The affidavit further states that Dr. Yeh filed more than 31,900 claims for insurance reimbursement between 2004 and 2009, a total believed far in excess of what could be possible to comply with appropriate medical standards during the hours he saw patients in Arizona. Claims submitted to the Arizona Health Care Cost Containment System (AHCCCS) alone totaled nearly \$8 million. Based on its scheduled amounts for reimbursement, AHCCCS paid Dr. Yeh \$2,449,780. In addition, more than \$1 million was paid to Dr. Yeh for claims submitted to Medicare and other insurance companies.

The warrant served last week has led to the seizure so far of some \$3.9 million in multiple bank accounts, investment accounts, real estate and other property belonging to Dr. Yeh.

"We will continue to work with our fellow law enforcement task force members and aggressively pursue those who engage in prescription drug fraud," said Glenn R. Ferry, Special Agent in Charge for the U.S. Department of Health and Human Services, Office of Inspector General's Phoenix Field Office.

"Prescription drug abuse is a serious problem, which often goes undetected until tragedy strikes," said Jack F. Harris, Phoenix Police Department Public Safety Manager. "Those who perpetuate this problem by trafficking in prescription drugs are drug dealers, the same as those who peddle cocaine and methamphetamine on our streets. The Phoenix Police Department remains committed to combating this problem with our state and federal partners by arresting those individuals who participate in these crimes."

"The illicit distribution of pharmaceutical drugs, particularly by physicians, is starting to receive the attention it deserves and should be a significant concern to all of us. Health care professionals who are illegally dispensing or distributing controlled substances and dangerous drugs need to be held accountable for their actions," said Scott D. Jackson, Chief of the Investigation Division of the Nevada Department of Public Safety. "This investigation is an excellent example of the potential success of investigating and enforcing the illicit distribution of prescription drugs through a coordinated and cooperative effort. The Nevada Department of Public Safety—Investigation Division is proud to have contributed to this successful investigation and looks forward to future endeavors with allied agencies in the enforcement of drug crimes."

Roger Vanderpool, Director of the Arizona Department of Public Safety, stated, "The agency has conducted many investigations in the past involving the problems of prescription fraud. At one time, the Department had dedicated units to conduct these investigations, but due to demands stemming from Border Crimes, we had to reallocate these resources. The problem of the fraud and illegal dispensing by suspects who are members of the medical community presents a very serious safety, health, and trust problem for the citizens of Arizona. DPS participates on a regular basis with the Drug Enforcement Administration on many major criminal investigations, and we are proud to be a participant in the DEA Tactical Diversion Task Force, which has brought this physician's criminal enterprise to a close. DPS will continue to provide resources to support the success of the task force."

This case was investigated by the DEA, Arizona Attorney General's Office and the DEA's Tactical Diversion Task Force, which includes Arizona Department of Public Safety, Phoenix Police Department, Apache Junction Police Department, Peoria Police Department, Surprise Police Department, Mesa Police Department, U.S. Department of Health and Human Services, Office of Inspector General. Other agencies involved in the investigation include Kingman Police Department, Mohave Area General Narcotics Enforcement Team (MAGNET), Arizona Health Care Cost Containment System (AHCCCS) Fraud Unit, Nevada Department of Public Safety, Arizona Pharmacy Board, DEA Las Vegas and the DEA Digital Evidence Laboratory.

Prescription drug abuse is on the rise in Arizona, especially among teenagers. According to the 2008 Arizona Youth Survey State Report published by the Arizona Criminal Justice Commission, more than one in five teens reports abusing prescription drugs in their lifetime. This figure has increased in the past few years, from 14.3% in 2006 to 22.4% in 2008. Further, the rate of prescription drug abuse among Arizona's 12th graders is double the national average, according to the Arizona affiliate of the Partnership for a Drug-Free America.

For more information about prescription drug abuse, please visit the Arizona Partnership for a Drug-Free America's website, www.PartnerUpAZ.org. There you will find various resources that aim to educate people on how to identify and treat drug abuse.

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