

Department of Justice
U.S. Attorney's Office
Northern District of Oklahoma

FOR IMMEDIATE RELEASE

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Two Tulsa Doctors Settle with the U.S. Government for Allegedly Engaging in Illegal Kickback Schemes

Seven Cases have been Settled in the Northern District of Oklahoma since January

TULSA, Okla. – Two more Tulsa doctors have entered into settlement agreements with the U.S. Attorney's Office for allegedly accepting illegal kickback payments from OK Compounding, LLC, announced U.S. Attorney Trent Shores.

Lam Nguyen, 47, a licensed doctor of osteopathic medicine, agreed to pay the government \$124,139.98 for allegedly accepting illegal kickback payments from OK Compounding. In a separate settlement, Hugo Salguero, 44, a licensed medical doctor specializing in pain medicine, agreed to pay the government \$228,301.76 for allegedly accepting illegal kickback payments from OK Compounding.

These civil settlements resulted from an investigation into numerous health care providers writing prescriptions for pain creams compounded and sold by OK Compounding in return for payments.

"Medical professionals in northern Oklahoma should know by now that my office is focused on stopping the exploitation of federal health care programs," said U.S. Attorney Trent Shores. "We will hold accountable corrupt physicians and recoup the monies they stole from critical programs intended to support the elderly and those who have served our nation."

"These settlements highlight the Defense Criminal Investigative Service (DCIS) and its law enforcement partners' commitment to aggressively investigate health care providers who defraud the Department of Defense (DoD) health care program known as TRICARE, to preserve American taxpayer dollars intended to care for our warfighters, their family members and military retirees," said DCIS Special Agent in Charge Michael C. Mentavlos.

Beginning in 2013, Dr. Nguyen and Dr. Salguero prescribed pain creams for their patients, facilitating the sale and distribution of the creams. As compensation for their services, OK Compounding paid the doctors based upon an hourly rate. However, the payments the two physicians received from the company were, in actuality, kickbacks. Because some of the patients were insured by Medicare, Tricare, and the Veterans Health Administration, the kickbacks were in violation of the False Claims Act.

It is illegal to pay or receive kickbacks in conjunction with federal health care insurance. Prohibitions against kickbacks are crucial to insure that financial motives do not undermine the medical judgment of physicians and other health care providers. The civil False Claims Act is an important tool used to protect the integrity of taxpayer-funded health care programs.

These settlements resolve allegations that Dr. Nguyen and Dr. Salguero had illegal financial relationships with OK Compounding concerning pain creams in 2013.

Since January 2019, seven medical professionals have settled for allegedly receiving kickback payments from the company.

To report fraud and abuse against the Federal government in the Northern District of Oklahoma, please contact the U.S. Attorney's Office at 918-382-2700 and speak to a member of the Affirmative Civil Enforcement (ACE) Unit. The ACE Unit is responsible for filing civil lawsuits on behalf of the United States, to recover government money lost to fraud or other misconduct or to impose penalties for violations of Federal health, safety, civil rights or environmental laws.

Information regarding health care fraud to Medicare can also be reported to the Department of Health and Human Services, Office of Inspector General, at <https://oig.hhs.gov/fraud/reportfraud/index.asp>. Information for fraud against Tricare can be reported at <https://health.mil/Military-Health-Topics/Access-Cost-Quality-and-Safety/Quality-And-Safety-of-Healthcare/Program-Integrity/Fraud-and-Abuse-Report-Submission-Form>.

These matters were handled by Assistant U.S. Attorney Marianne Hardcastle, and are the product of a collaborative investigation by the Defense Criminal Investigative Service; Department of Labor–Office of Inspector General (OIG); IRS–Criminal Investigation; U.S. Postal Service–OIG; FBI, Department of Veterans Affairs–OIG and the Department of Health and Human Services–OIG.

The claims resolved by the settlements are allegations only; there has been no determination of liability.

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