

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

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FOR IMMEDIATE RELEASE

September 5, 2019

## **Doctor Agrees to Pay More Than \$471,000 to Resolve Alleged False Claims Act Liability for Accepting Kickback Payments**

In a civil settlement agreement with the U.S. Government, an orthopedic surgeon has agreed to pay \$471,221.46 to resolve allegations that he knowingly accepted illegal kickback payments in exchange for prescribing pain creams compounded and produced by OK Compounding, LLC, announced U.S. Attorney Trent Shores.

The government alleged that Dr. James L. Womack, 42, a physician in Clinton, Missouri, accepted the kickback payments from June 1, 2013 through June 9, 2015. Womack wrote prescriptions for expensive compounded pain creams that were marketed in bulk, and in so doing, facilitated the sale and distribution of pain creams by OK Compounding. As compensation for his services, OK Compounding paid Womack what was characterized by the parties as medical director fees based upon an hourly rate. However, the prearranged payments that Womack received from OK Compounding were, in actuality, “kickbacks” and in violation of the False Claims Act, 31 U.S.C. §3729 et seq.

“Federal laws help ensure that medical professionals are not improperly influenced by pharmaceutical companies when developing patient plans of treatment. When, in return for illegal kickbacks, doctors write expensive prescriptions to a preselected pharmacy, they have replaced patient-centered care with personal greed,” said U.S. Attorney Trent Shores. “My office will use both civil and criminal measures to ensure that pharmacies, marketers, and prescribers are not enriching themselves at the expense of patients’ health and well-being. Federal investigators and Assistant U.S. Attorney Kristin Harrington were integral in recovering more than \$471,000 in this latest settlement.”

Prohibitions against kickbacks are crucial to ensure that financial motives do not undermine the integrity of the medical judgment of physicians and other health care providers. The government's pursuit of these matters illustrates the government's emphasis on combating healthcare fraud.

Tips and complaints from all sources about potential fraud, waste, abuse, and mismanagement can be reported to the Department of Health and Human Services, at 800 HHS TIPS (800-447-8477). In the Northern District of Oklahoma, individuals can also 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.

This matter is being handled by Assistant U.S. Attorney Kristin Harrington with the ACE unit and is the product of the collaborative investigative efforts of 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 settlement are allegations only; there has been no determination of liability.

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