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Physician and clinic director federally indicted on drug charges

By Susy Kelly skelly@heraldstandard.com Jan 27, 2016

Federal indictments have been handed down against a doctor and the director of a methadone clinic that was raided by state, federal and local agencies in October.

A 237-count indictment released by the U.S. Attorney's office on Wednesday names Dr. Dominic DiLeo and Rosalind Sugarmann as defendants.

Although Addiction Specialists Inc. (ASI) is not mentioned in the indictment, DiLeo, a physician, and Sugarmann both have ties to the facility.

According to the information, DiLeo is charged with 19 counts of unlawfully dispensing and distributing a schedule III controlled substance — namely Suboxone — between March 17 and November 24.

He faces four more counts of conspiracy to unlawfully distribute a schedule IV controlled substance — namely Xanax — between January 2013 and November.

Sugarmann is charged with 19 counts of unlawfully distributing Suboxone during the same time period.

Both defendants face 93 counts of unlawfully dispensing and distributing Suboxone between January 2013 and July, and one count of conspiracy to commit the same.

According to information on the Federal Drug Administration (FDA) website, Suboxone is a prescription medicine used to treat adults who are addicted to opioid drugs as part of a complete treatment program that also includes counseling and behavioral therapy.

The FDA states Suboxone is a schedule III controlled substance because it contains buprenorphine, which can be a target for people who abuse prescription medicines or street drugs.

Xanax, also called alprazolam, is a schedule IV substance because it has a low potential for abuse relative to substances in schedule III. It is used to treat anxiety and depression.

The FBI, in conjunction with state and local law enforcement, conducted a raid at the clinic in the Mountain View Plaza on Pittsburgh Road in North Union Township on Oct. 8.

The following day, the state Department of Drug and Alcohol Programs, the agency responsible for licensing drug treatment clinics, conducted a site visit at ASI, finding several deficiencies.

Late in December, the department granted a provisional license for ASI to remain operational for up to four months, with the possibility of renewal. They were also directed to submit a plan for corrective action, which records indicate has not been filed.

While both defendants are considered innocent until proven guilty of the current charges, this is not DiLeo's first encounter with the law.

In May 1996, DiLeo, then a cardiologist, was sentenced to 10 years and one month in federal prison for writing illegal narcotic prescriptions and taking kickbacks to fund extramarital affairs.

He was convicted the year before of five counts of mail fraud and 12 counts of writing illegal prescriptions. DiLeo wrote prescriptions for narcotic painkillers to a Uniontown man in the names of his wife and parents.

Testimony during his federal trial also revealed that DiLeo referred patients to a medical supply company he owned with his brother and another man. Those patients did not need the oxygen he prescribed them, according to news accounts. Additionally, he faked test results and performed heart testing on the company's employees so he could falsely bill their insurance companies, according to testimony.

The company, Penn Medical, in a few years was grossing \$1.5 million annually, according to testimony at his federal trial.

The money they made went toward financing hotel rooms, rental homes and gifts as part of DiLeo's extramarital affairs, according to trial testimony. DiLeo told jurors during that trial that he believed those things were gifts, and not kickbacks.

After his sentencing, DiLeo's medical license was suspended for 10 years, then reinstated in 2005.

DiLeo's medical license was last renewed in 2014 and is good through the end of 2016.

According to Department of State spokeswoman Wanda Murren, no disciplinary action has been taken and the department is unable to comment specifically about DiLeo.

"Generally, when our bureau learns about any activity like this, it would trigger an investigation," Murren said.

Murren said that like a legal proceeding, the disciplinary process for those holding medical licenses takes time, with the respondent given time to respond at each stage of the proceeding. Murren said the process can take a year or more to complete.

"We can also order an immediate temporary suspension, which the respondent has the right to appeal," Murren said.

DiLeo was contracted through PrimeCare Medical Inc. to provide treatment to inmates in the county jail, but Warden Brian Miller said DiLeo and PrimeCare have parted, and DiLeo no longer has clearance at the jail.

Both defendants are scheduled to be arraigned on Feb. 9 at 1:30 p.m. before U.S. Magistrate Judge Lisa Pupo Lenihan.



Sugarmann

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