



## Pharmacy director sentenced to prison, \$3 million in restitution for role in health care fraud scheme

### For Immediate Release

March 23, 2023

LOS ANGELES – A former director at a now-defunct Irvine pharmacy was sentenced to 9 1/2 years in federal prison Monday for his role in a health care fraud scheme which targeted Tricare, the military’s health care plan, Amtrak’s health care plan, and others for more than \$11 million.

In addition to the prison sentence, Marcus Orlando Armstrong, 56, of Miami, the former operations director at Irvine Wellness Pharmacy, was ordered to pay \$3,070,091 in restitution for two counts of paying illegal kickbacks for health care referrals. In November 2022, Sandy Mai Trang Nguyen, 42, of Irvine, the pharmacist-in-charge for Irvine Wellness Pharmacy was found guilty for her role in the same scheme, in which more than 1,100 bogus prescriptions for compounded medications were filled from late 2014 to May 2015. During the scheme, Amtrak’s health care plan was billed \$32,489 of which \$26,962 was paid, and Tricare, the U.S. military’s health care plan, paid \$11,098,756 on the fraudulently submitted claims.

In 2014, Armstrong agreed to pay kickbacks to a physician in exchange for prescriptions bearing the physician’s name and credentials. After filling the prescriptions provided by the physician, which were not medically necessary, Armstrong in 2015 wrote checks to the physician for “marketing,” but the payments were in fact illegal kickbacks.

To further the scheme, beneficiaries were solicited to provide their insurance information for medications they did not seek out or need, and most were never examined by a physician. The prescriptions were electronically sent by so-called marketers or telemedicine businesses and submitted to insurers by the pharmacy for reimbursement. The “marketers” who sent the prescriptions were paid kickbacks based on a percentage of the Tricare reimbursements.

Nguyen’s sentencing hearing is scheduled for April 3, 2023. Co-defendants Leslie Andre Ezidore, 53, of West Los Angeles, and Alexander Michael Semenik, 51, of Las Vegas, have pleaded guilty to felony charges in this case and await sentencing.

In addition to the Amtrak Office of Inspector General, the case was investigated by the Defense Criminal Investigative Service; the FBI; IRS Criminal Investigation; the U.S. Department of Labor Employee Benefits Security Administration; the California Department of Insurance; and the Office of Personnel Management OIG. Assistant United States Attorneys Mark R. Aveis and Ali Moghaddas of the Major Frauds Section are prosecuting this case. More information is available in the press release from the U.S. Attorney’s Office: <https://direc.to/jdGk>.

Reports of fraud, waste, or abuse; criminal or unethical acts affecting Amtrak’s property or operations; or mismanagement in Amtrak programs or operations can be made 24 hours a day via the Amtrak OIG Hotline at 1-800-468-5469 or online at <https://direc.to/hPAu>.

-###-