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SHREVEPORT DOCTOR AND 7 OTHERS INDICTED FOR PRESCRIPTION FRAUD SCHEME

Bogus prescriptions included some in the name of McElwee's dog "Brandi"

SHREVEPORT, La.: Dr. Tandy McElwee, Jr., age 61, of Natchitoches, Louisiana, formerly of Bossier City, Louisiana, was indicted by a federal grand jury for participating in a wide-ranging scheme to obtain controlled substances by fraud, illegally dispense controlled substances, keep false records, and fraudulently bill Blue Cross/Blue Shield of Louisiana, United States Attorney Donald W. Washington announced today. The indictment and this morning's arrest of Dr. McElwee and seven others is the culmination of a one-year investigation jointly conducted by the United States Drug Enforcement Administration and the Federal Bureau of Investigation. Dr. McElwee's office closed in August 2007.

Also named in the indictment are:

- Ava Cates McElwee, age 50, of Natchitoches, Louisiana, a nurse practitioner employed at Dr. McElwee's office;
- Susan Hawn Hotard, age 52, of Benton, Louisiana, a licensed practical nurse employed at Dr. McElwee's office;
- Wendy Kathleen Benson Chriss, age 31, of Stonewall, Louisiana, a registered medical assistant employed at Dr. McElwee's office;
- Sandra Brannon, age 49, of Baton Rouge, Louisiana, a registered medical assistant employed at Dr. McElwee's office;

- Catherine Cockrell, age 36, of Bossier City, Louisiana, an employee at Dr. McElwee's office;
- Carla Huff, age 36, of Keithville, Louisiana, a sales representative employed at QVL Pharmacy; and
- Kristina Randall, age 30, of Shreveport, Louisiana, sister of Wendy Chriss.

The indictment alleges that between January 2004 and August 2007, the defendants conspired to obtain hydrocodone, also known as Lorcet, Lortab, Histussin HC, and Histinex HC, by submitting improper prescriptions to pharmacies in the Shreveport-Bossier area in one another's names and names of family members, as well as submitting prescriptions using false names. The indictment alleges that the defendants submitted some prescriptions in the name of "Brandi McElwee." "Brandi" is the name of Dr. McElwee's dog.

The indictment alleges 71 separate counts of obtaining hydrocodone by fraud. The indictment further alleges that Dr. McElwee and Wendy Chriss conspired between May 2006 and August 2007 to distribute and dispense the hydrocodone outside of the usual course of professional practice and not for a legitimate medical purpose, and specifically alleges 9 different counts of possession with intent to distribute hydrocodone.

Dr. McElwee, Wendy Chriss and Sandra Brannon are charged with furnishing false and fraudulent records regarding the dispensed controlled substances. Finally, the indictment alleges that Dr. McElwee and others defrauded Blue Cross/Blue Shield of Louisiana by submitting fraudulent claims for improper prescriptions.

If convicted, the defendants face a maximum penalty for each count of conspiracy and obtaining controlled substances by fraud of 4 years in prison, a \$250,000 fine, or both; a maximum penalty for each count of conspiracy to possess with intent to distribute of 5 years in prison, a \$250,000 fine, or both; a maximum penalty for providing false information in records of 4 years in

prison, a \$250,000 fine, or both; and a maximum penalty for each count of health care fraud of 20 years in prison, a \$250,000 fine, or both.

The case was investigated by the Shreveport Offices of the Drug Enforcement Administration and the Federal Bureau of Investigation, and is being prosecuted by Assistant United States Attorney Allison D. Bushnell.

An indictment is merely an accusation and a defendant is presumed innocent unless and until he is proven guilty beyond a reasonable doubt.

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