

PRESS RELEASE

Podiatrist and Patient Recruiter Sentenced for \$8.5M Compounding Fraud Scheme

Wednesday, December 4, 2024

For Immediate Release

Office of Public Affairs

A podiatrist and a patient recruiter were sentenced to 45 months and 60 months in prison, respectively, and ordered to pay over \$7 million in restitution for their roles in a scheme to fraudulently bill TRICARE — the health care program for U.S. service members and their families — for compounded creams that were medically unnecessary and procured through kickbacks and bribes.

According to court documents and evidence presented at trial, Brian Carpenter, 58, of Paradise, Texas, was a podiatrist who signed prescriptions for compounded pain and scar creams for TRICARE beneficiaries to whom he never spoke and whom he never examined or treated. Jerry Lee Hawrylak, 71, of Lake Worth, Texas, recruited Carpenter to sign the prescriptions and recruited TRICARE beneficiaries to accept the medically unnecessary creams. From November 2014 to January 2017, Carpenter, Hawrylak, and others caused the Fort Worth-based pharmacy involved in the conspiracy to fraudulently bill TRICARE approximately \$8.5 million for these creams. Evidence at trial included so-called standing orders signed by Carpenter that were backdated so the pharmacy could change prescriptions after the fact to maximize TRICARE reimbursement. The prescriptions Carpenter signed and maintained in his office authorized unlimited refills and listed fake addresses for beneficiaries.

In April 2023, a jury in the Northern District of Texas [convicted](#) both Carpenter and Hawrylak of one count of conspiracy to commit health care fraud and six counts of health care fraud.

Principal Deputy Assistant Attorney General Nicole M. Argentieri, head of the Justice Department's Criminal Division; Acting Special Agent in Charge Ryan Settle of the Department of Defense Office of Inspector General's Defense Criminal Investigative Service (DCIS) Southwest Field Office; Special Agent in Charge Jason E. Meadows of the

Department of Health and Human Services Office of Inspector General (HHS-OIG) Dallas Regional Office; Acting Special Agent in Charge P. J. O'Brien of the FBI Dallas Field Office; Special Agent in Charge Casey Howard of the Department of Labor Office of Inspector General (DOL-OIG) Central Regional Office; and Special Agent in Charge Kris Raper of the Department of Veterans Affairs Office of Inspector General (VA-OIG) South Central Field Office made the announcement.

DCIS, HHS-OIG, FBI, DOL-OIG, and VA-OIG investigated the case.

Assistant Chief Brynn Schiess and Trial Attorney Andrea Savdie of the Criminal Division's Fraud Section prosecuted the case.

The Fraud Section leads the Criminal Division's efforts to combat health care fraud through the Health Care Fraud Strike Force Program. Since March 2007, this program, currently comprised of nine strike forces operating in 27 federal districts, has charged more than 5,400 defendants who collectively have billed federal health care programs and private insurers more than \$27 billion. In addition, the Centers for Medicare & Medicaid Services, working in conjunction with HHS-OIG, are taking steps to hold providers accountable for their involvement in health care fraud schemes. More information can be found at www.justice.gov/criminal-fraud/health-care-fraud-unit.

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Topic

HEALTH CARE FRAUD

Components

[Criminal Division](#)

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