

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

FOR IMMEDIATE RELEASE

Tuesday, February 15, 2022

## **Oklahoma Orthopedic Surgeon Agrees to Pay Almost \$343,000 to Settle False Claims Act Allegations**

Dr. Mark Stephen Wilson agreed to pay the United States \$342,750 to resolve False Claims Act allegations that he accepted illegal kickback payments from Brookhaven Specialty Pharmacy LLC, announced U.S. Attorney Clint Johnson.

Wilson is an orthopedic surgeon in Tulsa and Oklahoma City and focuses on pain management and rehabilitation.

From February 2014 through September 2016, Wilson was alleged to have knowingly accepted significant payments from Brookhaven Specialty Pharmacy LLC in exchange for recommending and prescribing pain creams that were compounded and produced by the pharmacy.

As part of their arrangement, the pharmacy paid Wilson what the two parties characterized as "medical director fees" based upon an hourly rate. However, the United States alleged the "medical director fees" were, in actuality, kickback payments for prescribing the compounded pain creams.

Because Wilson wrote the prescriptions for patients who were federally insured under the Federal Employees Compensation Act Program (FECA), the kickbacks were in violation of the False Claims Act.

"The U.S. Attorney's Office is committed to ensuring federal health care dollars are spent in accordance with the law and will not tolerate the abuse of federal health care programs," said U.S. Attorney Clint Johnson. "The government will use every tool at our disposal, including civil or criminal proceedings, to hold violators accountable."

It is illegal to pay or receive "kickbacks" in conjunction with federal health care insurance. Prohibitions against kickbacks are crucial to ensure that financial motives do not undermine the medical judgment of physicians and other health care providers. The civil False Claims Act is an important tool used to protect the integrity of taxpayer-funded health care programs.

To report fraud and abuse committed against the federal government in the Northern District of Oklahoma, please contact the U.S. Attorney's Office at 918-382-2700 and speak to a member of the ACE Unit.

*This settlement agreement resolves allegations that Wilson had an illegal financial relationship with Brookhaven Specialty Pharmacy LLC, concerning pain creams. The claims resolved by the settlement are allegations only; there has been no determination of liability.*

This matter was handled by Assistant U.S. Attorney Richard M. Molot of the U.S. Attorney's Office for the District of Connecticut and is the product of a collaborative investigation by the U.S. Department of Labor-Office of Inspector General and the U.S. Postal Service-Office of Inspector General.

**Topic(s):**  
False Claims Act  
**Component(s):**

USAO - Oklahoma, Northern  
**Contact:**  
Public Affairs 918-382-2755