

PRESS RELEASE

Former Pharmaceutical Sales Representative Admits Role In Health Care And Wire Fraud Conspiracy

Tuesday, March 14, 2023

For Immediate Release

U.S. Attorney's Office, District of New Jersey

CAMDEN, N.J. – A former pharmaceutical sales representative today admitted defrauding New Jersey state and local health benefits programs and other insurers by submitting fraudulent claims for medically unnecessary prescriptions, Attorney for the United States Vikas Khanna announced.

Vincent Tornari, 49, of Linwood, New Jersey, pled guilty today via videoconference before Judge Robert B. Kugler to one count of an indictment charging him with conspiring to commit health care fraud and wire fraud. Tornari was previously charged with Dr. Brian Sokalsky, 44, of Margate, New Jersey, and former advanced nurse practitioner Ashley Lyons-Valenti, 66, of Swedesboro, New Jersey, in June 2020. Lyons pleaded guilty on Feb. 28, 2023, to health care fraud conspiracy. The conspiracy to which Tornari pleaded guilty also involved former pharmaceutical sales representative Mark Bruno, 48, of Northfield, New Jersey, who pleaded guilty on Dec. 16, 2019, to health care fraud conspiracy and obstruction of justice. The charges against Sokalsky remain pending and he is scheduled to proceed to trial on April 24, 2023. The charges and allegations against Sokalsky are merely accusations, and he is presumed innocent unless and until proven guilty.

According to court documents and statements made in Court:

Compounded medications are specialty medications mixed by a pharmacist to meet the specific medical needs of an individual patient. Although compounded drugs are not approved by the Food and Drug Administration (FDA), they are properly prescribed when a physician determines that an FDA-approved medication does not meet the health needs of a particular patient, such as if a patient is allergic to a dye or other ingredient.

The conspirators learned that certain medications made by compounding pharmacies reimbursed for up to thousands of dollars for an individual's one-month supply. They

learned that certain insurance plans – including insurance plans for state and local government employees and certain other insurance plans – covered these medications.

Tornari's company had an agreement with a compounding pharmacy in Pennsylvania to receive 50 percent of the insurance reimbursement for prescriptions that were arranged by him and those working with him, such as Bruno. Tornari then paid Bruno 20 percent of that amount.

Tornari and Bruno approached Sokalsky to secure his authorization for prescription medications made by the compounding pharmacy. Sokalsky agreed to prescribe the medications in exchange for cash and other remuneration. Sokalsky prescribed the medications to people Bruno paid cash to agree to receive the medications, even though those individuals did not need those medications and did not have a pre-existing doctor-patient relationship with Sokalsky. Sokalsky then billed insurance plans for patient visits for the people Bruno directed to his medical practice.

Sokalsky also prescribed the medications to existing patients of his medical practice – as opposed to other medications or no medications at all – to financially benefit Tornari, Bruno, and himself. When insurance stopped covering certain formulations of the medications, Tornari and Bruno informed Sokalsky that he needed to authorize new prescriptions. Sokalsky did so, often without seeing the individual for a follow-up visit or informing the person of the change in medication. The fraudulent prescriptions cost insurers over \$541,000 and Tornari personally received more than \$359,000 as part of the scheme.

Tornari faces a maximum penalty of 20 years in prison and a \$250,000 fine. Sentencing is scheduled for July 25, 2023.

Attorney for the United States Khanna credited agents of the FBI's Atlantic City Resident Agency, under the direction of Special Agent in Charge James E. Dennehy in Newark; special agents of IRS – Criminal Investigation, under the direction of Acting Special Agent in Charge Tammy Tomlins in Newark; and special agents of the U.S. Department of Labor Office of Inspector General, New York Region, under the direction of Special Agent in Charge Jonathan Mellone, with the investigation leading to today's guilty plea.

The government is represented by Christina O. Hud, Senior Trial Counsel in the Health Care Fraud Unit; R. David Walk Jr., Deputy Chief of the Criminal Division; and Assistant U.S. Attorney Daniel A. Friedman.

[tornari.etal .indictment.pdf](#) (511.02 KB)

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