

Department of Justice
U.S. Attorney's Office
Southern District of West Virginia

FOR IMMEDIATE RELEASE

Monday, May 21, 2018

Mullens Doctor Charged in 20 Count Indictment With Unlawful Distribution of Prescription Opioids and Health Care Fraud

BECKLEY, W.Va. – United States Attorney Mike Stuart announced that a federal grand jury sitting in Charleston returned a 20-count indictment against Manuel C. Barit, M.D., the only practicing physician at Mullens Family Clinic. The indictment charges Dr. Barit with 19 counts of distribution of Schedule II controlled substances, including the opioid hydrocodone, outside the bounds of a legitimate medical practice. The indictment also alleges that, from about October 7, 2013 through January 24, 2018, Dr. Barit knowingly executed a scheme to defraud Medicare and Medicaid by submitting claims indicating that he treated patients at his clinic in Mullens on dates he was outside the United States. If convicted on all charges as alleged in the indictment, Dr. Barit faces up to 390 years in prison, and a \$5 million fine.

"Today we are facing the worst drug crisis in American history, with one American dying of a drug overdose every nine minutes," said Attorney General Jeff Sessions. "It's incredible but true that some of our trusted medical professionals have chosen to violate their oaths and exploit this crisis for profit. That's why, last summer, I sent a dozen of our top federal prosecutors to focus solely on the problem of opioid-related health care fraud in places where the epidemic was at its worst—including Southern West Virginia. U.S. Attorney Stuart understands that pursuing these cases cuts off the supply of drugs and stops fraudsters from exploiting vulnerable people, and he and his office are doing just that. Our prosecutors began obtaining indictments back in October, and today we charge another doctor who allegedly defrauded the taxpayer while diverting potentially addictive drugs. I want to thank the U.S. Attorney's office for their good work on this case, as well as all of our state and local partners for their tireless efforts and invaluable partnership. This brings us one step closer to ending our national drug epidemic."

"This indictment is an example of my Office's commitment to hold doctors accountable when they violate federal laws designed to protect the health and safety of patients," said United States Attorney Mike Stuart. "Opioid-related health care fraud is a serious problem facing the Southern District of West Virginia, and we will work alongside our law enforcement partners to bring suspected criminals to justice and protect our communities. A drug dealer in a lab coat is still just a drug dealer."

The indictment is the result of the formation of the Opioid Fraud Abuse and Detection Unit (OFADU), a Department of Justice initiative that uses data to identify and prosecute individuals that are contributors to the national opioid crisis. The Southern District of West Virginia is one of 12 districts nationally to participate in the pilot program.

The Drug Enforcement Administration, the Department of Labor – Office of Inspector General (OIG) and the United States Postal Inspection Service conducted the investigation leading to the indictment. Assistant United States Attorney Haley Bunn is handling the prosecution.

"DEA has made efforts to focus investigations on doctors who are abusing their positions by writing prescriptions outside the norms of good medicine," said DEA Special Agent in Charge D. Christopher Evans, Louisville Field Division. The investigation into Dr. Barit's prescribing habits revealed that

prior to Dr. Barit traveling outside of the U.S., he had pre-written prescriptions for Schedule II substances and left signed blank prescriptions for staffers to write controlled substance prescriptions to be given to patients in his absence. The investigation further revealed that Dr. Barit was illegally billing Medicaid, Medicare, and other medical insurances for face-to-face visits while he was traveling. DEA will continue to investigate doctors and pharmacies whose actions violate U.S. laws and exploit their position of trust.”

The indictment is attached.

Please note: An indictment is merely an allegation and the defendant is presumed innocent unless and until proven guilty beyond a reasonable doubt in a court of law.

[barit_indictment_final.pdf](#)

Follow us on Twitter: [**SDWVNews**](#)(link is external)

###