

Department of Justice

Office of Public Affairs

FOR IMMEDIATE RELEASE

Friday, April 14, 2023

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

A federal jury convicted two Texas men today for their role 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, 56, of Bridgeport, 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, 69, of Lake Worth, recruited Carpenter to sign the prescriptions and recruited TRICARE beneficiaries to accept the medically unnecessary creams. From November 2014 to January 2017, Carpenter and Hawrylak caused the Fort Worth-based pharmacy involved in the conspiracy to fraudulently bill TRICARE approximately \$8.5 million for these creams.

Carpenter and Hawrylak were convicted of one count of conspiracy to commit health care fraud and six counts of health care fraud. They are scheduled to be sentenced on Aug. 23 and face a maximum penalty of 10 years in prison on each count. A federal district court judge will determine any sentence after considering the U.S. Sentencing Guidelines and other statutory factors.

Assistant Attorney General Kenneth A. Polite, Jr. of the Justice Department's Criminal Division, U.S. Attorney Leigha Simonton for the Northern District of Texas, Special Agent in Charge Michael Mentavlos of the Defense Criminal Investigative Service (DCIS), Special Agent in Charge Jason Meadows of the Department of Health and Human Services Office of Inspector General (HHS-OIG) Dallas Regional Office, Special Agent in Charge Chad B. Yarbrough of the FBI Dallas Regional Office, Special Agent in Charge Steven Grell of the Department of Labor Office of Inspector General (DOL-OIG) Central Regional Office, and Special Agent in Charge Kris Raper of the Veterans Affairs Office of Inspector General (VA-OIG) South Central Field Office made the announcement.

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

Acting Assistant Chief Brynn A. Schiess and Trial Attorneys Lee Hirsch and Andrea Savdie of the Criminal Division's Fraud Section are prosecuting 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, comprised of 15 strike forces operating in 25 federal districts, has charged more than 5,000 defendants who collectively have billed federal health care programs and private insurers more than \$24 billion. In addition, the Centers for Medicare & Medicaid Services, working in conjunction with the Office of the Inspector General for the Department of Health and Human Services, are taking steps to hold providers accountable for their involvement in health care fraud schemes. More information can be found at <https://www.justice.gov/criminal-fraud/health-care-fraud-unit>.

Topic(s):

Financial Fraud
Health Care Fraud

Component(s):

[Criminal Division](#)
[Criminal - Criminal Fraud Section](#)
[Federal Bureau of Investigation \(FBI\)](#)

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