



## PRESS RELEASE

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### **Attorney General Frosh Announces Indictments Stemming From Multi-Agency, Multi-Jurisdictional Crackdown on Pill Mill Operators**

***Joins DEA, U.S. Department of Health & Human Services, and Baltimore  
County Police in Announcing Grand Jury Indictments***

**BALTIMORE, MD (August 10, 2017)** –Maryland Attorney General Brian E. Frosh today announced the indictments of Kofi Shaw-Taylor and eight co-conspirators, and Hasan H. Babaturk for the alleged unlawful distribution of controlled dangerous substances, and operating as “pill mills.” Defendant Babaturk faces 21 counts of drug distribution and improper dispensing charges. Defendant Shaw-Taylor faces 289 counts of conspiracy to commit drug distribution, Medicaid fraud and other charges.

The indictments and arrests of Kofi Shaw-Taylor and his co-defendants come as a result of a collaborative investigation between the Maryland Office of the Attorney General, the U.S. Drug Enforcement Administration, and the U.S. Department of Health and Human Services Office of the Inspector General.

The indictment and arrest of Hasan Babaturk comes as the result of a joint investigation between the Maryland Office of the Attorney General and the Baltimore County Police Department.

“These physicians were using their skills not to heal, but to spread the disease of addiction,” said Attorney General Frosh. “They enriched themselves by stealing from the state and exploiting their patients. Today, they face the consequences.”

“Maryland and the country are in the midst of an opioid epidemic, much of it started by prescription drug abuse. When licensed prescribers, as alleged in the indictment, fail to do their due diligence in prescribing powerful medications, it often leads to the death and despair we are seeing across the country,” said Don Hibbert, Assistant Special Agent in Charge, Drug Enforcement Administration, Baltimore District Office.

“Greed continues to be the main driver in the illegal diversion of opioids and other drugs, which leads to further addictions, broken homes, deaths, and a drain on resources that could be used to keep people healthy and safe,” said Nick DiGiulio, Special Agent in Charge for the Inspector General’s Office of the U.S. Department of Health and Human Services in Philadelphia. “We will continue to work with our law enforcement partners to bring criminals to justice and thereby enable honest providers to serve our Medicare and Medicaid recipients.”

“Law Enforcement must use all available resources to fight the opioid epidemic. All of us, federal, state, and local agencies must work together to see a successful end to this crisis. Irresponsible medical

professionals must and will be held accountable for their actions,” said Chief Terrence B. Sheridan of the Baltimore County Police Department.

### **Defendant Kofi Shaw-Taylor and Co-Defendants**

The indictments allege that Kofi Shaw-Taylor and eight co-defendants operated two clinics that functioned as pill mills. A pill mill is a physician’s office, clinic or health care facility that routinely engages in the practice of prescribing and dispensing controlled dangerous substances outside the scope of professional practice and without legitimate medical purpose.

During the period of criminal activity alleged in the indictment, Shaw-Taylor was a licensed physician with a valid Maryland medical license number and U.S. Drug Enforcement Administration registration number. Shaw-Taylor was also a provider recognized by the State of Maryland’s Medicaid program.

From June 2015 through April 2017, Tormarco Harris, Kofi Shaw-Taylor, Happiness Aguzie, Minnie Ndem, and Alex Green owned and/or operated Starlife Wellness Center, and would see patients, many of whom paid up to \$500 in cash for each visit. The owner, Tormarco Harris also paid the medical providers in cash. In addition, beginning in January 2013, Shaw-Taylor, Aguzie, and Green, as well as Kwame Asafo-Adjei, and Sabina Acquah, owned and/or operated Westside Medical Group, a painmanagement clinic located directly across the street from Western High School, an all-girls high school in Baltimore City. Many patients also paid cash for their visits at Westside.

During this time period, Shaw-Taylor and his co-defendants are alleged to have routinely dispensed dangerous controlled substances, including opioids, such as oxycodone, and benzodiazepines, such as Alprazolam, without a medical purpose. Oxycodone is highly addictive, causing physical and psychological dependence. Abuse of oxycodone, and its use with other controlled dangerous substances, such as Alprazolam or other benzodiazepines, can lead to overdose, and in some cases, death.

Medicaid pharmacy claims data showed that approximately 1,083 Medicaid beneficiaries were prescribed medication listing Shaw-Taylor as the prescriber. Shaw-Taylor was listed as the prescriber for 737 beneficiaries even though no corresponding medical visits were billed by either Shaw-Taylor or Westside. During that same time period, 403 beneficiaries were prescribed 283,666 doses of oxycodone with Shaw-Taylor listed as the prescriber. Three hundred thirty-six beneficiaries received prescriptions for both opiates and benzodiazepines from Shaw-Taylor.

During this time period, according to the indictments, Shaw-Taylor and his co-defendants from the Westside location, also submitted fraudulent Medicaid claims. Just the period in which Kofi Shaw-Taylor was not physically present amounts to over \$100,000 in fraudulent Medicaid claims.

According to the indictments, some of Shaw-Taylor’s patients traveled over 25 miles to see the prescriber. One patient drove 245 miles from Youngstown, Ohio. Another patient traveled 122 miles from western Maryland, while others traveled 86 miles from Salisbury, and 50 miles from Leesburg, Virginia. Twenty-eight out of the 39 customers that traveled over 25 miles to see Shaw-Taylor received fulfilled claims for oxycodone. Seven of the 39 customers who traveled more than 25 miles received a drug combination of an opioid and a benzodiazepine.

According to the indictments, Shaw-Taylor, as a result of prescribed medications, is responsible for the death of two beneficiaries, with whom Shaw-Taylor submitted fraudulent Medicaid claims.

Defendant Shaw-Taylor is charged with Conspiracy to Distribute Controlled Dangerous Substance, Count 1; Distribution of Controlled Dangerous Substance, Counts 2 – 93; Distribution of Controlled Dangerous Substance Near School, Counts 94 - 185; Unlawful Prescription of Controlled Dangerous Substance by Provider, Counts 186 - 277; Medicaid Fraud Involving Death of Beneficiary, Counts 278 and 279;

Conspiracy to Commit Medicaid Fraud, Count 280; Medicaid Fraud, Count 281; Conspiracy to Commit Theft Scheme, Count 282; Theft Scheme, Count 283; Conspiracy to Keep Common Nuisance, Counts 284 and 285; and Failure to File Income Taxes, Counts 286 - 289.

Charges of conspiracy to distribute and distribution of unlawfully distributing controlled dangerous substances carry potential penalties of up to 20 years in prison and a fine of up to \$25,000. Charges of distribution of controlled dangerous substance near a school carry potential penalties of 20 years in prison for the first offense, with a fine of up to \$20,000. For any subsequent offense, charges carry a potential of 40 years maximum of prison and a fine of up to \$40,000. Charges of unlawful prescription of a controlled dangerous substance by provider, a misdemeanor, carry potential penalties of up to 2 years in prison and a fine of up to \$100,000. Charges of Medicaid Fraud involving the death of a beneficiary carries potential penalties of life in prison, and a fine of up to \$200,000. Charges of conspiracy to commit Medicaid Fraud and Medicaid Fraud carry potential penalties of up to 5 years in prison, and a fine of up to \$100,000. Charges of conspiracy to commit theft scheme and theft scheme carry potential penalties of up to 15 years in prison and a fine of up to \$15,000. Charges of keeping a common nuisance carry potential penalties of up to 5 years in prison and a fine of up to \$15,000. Failure to file tax returns can carry potential penalties of up to 5 years in prison and a fine of up to \$10,000.

His co-defendants are charged with related crimes.

### **Defendant Hasan Babaturk**

The indictment alleges that over the course of four months, from December 2015 to March 2016, Babaturk, a licensed medical doctor at the time of the alleged criminal activity, unlawfully distributed, dispensed, and prescribed controlled dangerous substances, including oxycodone, oxymorphone, fentanyl and Xanax. During this time, the indictments allege that at times, Babaturk sold prescriptions for these narcotics from his vehicle.

Defendant Babaturk is charged with Distribution of a Controlled Dangerous Substance, 10 Counts; Keeping Common Nuisance, 1 Count; and Unlawful Prescription of a Controlled Dangerous Substance by Provider, 10 Counts.

Charges of unlawfully distributing controlled dangerous substances carry potential penalties of up to 20 years in prison and a fine of up to \$25,000. Charges of keeping a common nuisance carry potential penalties of up to 5 years in prison and a fine of up to \$15,000. Charges of unlawful prescription of a controlled dangerous substance by provider, a misdemeanor, carry potential penalties of up to 2 years in prison and a fine of up to \$100,000.

Eighty-nine percent of all intoxication deaths that occurred in Maryland in 2016 were opioid-related. Opioid-related deaths include deaths related to heroin, prescription opioids, and non-pharmaceutical fentanyl. The number of opioid-related deaths increased by 70% between 2015 and 2016, and has nearly quadrupled since 2010. Non opioid-related drug deaths have also been increasing, but at a slower rate. The number of prescription opioid-related deaths has been rising since 2012. Opioid abuse is a widespread epidemic.

An indictment is not a finding of guilt. A person is innocent unless and until proven guilty.

A copy of the Grand Jury indictment for Hasan Babaturk [can be found here](#).

A copy of the Grand Jury indictment for Kofi Shaw-Taylor and co-defendants [can be found here](#).

Attorney General Frosh thanked the Drug Enforcement Administration, the U.S. Department of Health & Human Services Office of Inspector General, the Narcotics division of the Baltimore County Police Department, the Baltimore City Police Department, Anne Arundel County Police Department, Howard

County Police Department and Carroll County Police Department for their collaboration and efforts to help crack down on physicians like these, who are running pill mills across the state.

In addition to thanking the federal and local law enforcement agencies for their assistance, Attorney General Frosh thanked the attorneys and staff from the Attorney General's Criminal Division, the Medicaid Fraud Control Unit, and the Organized Crime Unit of the Criminal Division for their work on the case.

Attorney General Frosh would also like to thank the Maryland Department of Health, Office of the Inspector General for their assistance with these cases.