



# Department of Justice

United States Attorney Nicholas A. Klinefeldt  
Southern District of Iowa

FOR IMMEDIATE RELEASE  
Friday, May 30, 2014  
<http://www.justice.gov/usao/ias>

CONTACT: Kevin VanderSchel  
(515) 473-9300  
[Kevin.VanderSchel@usdoj.gov](mailto:Kevin.VanderSchel@usdoj.gov)

## **Former Newton Doctor Sentenced to 5 Years in Prison for Prescribing Controlled Substances Outside the Course of Usual Medical Practice and Related Health Care Fraud**

DES MOINES, IA – On Thursday, May 29, 2014, Dr. Lafayette James Twyner, age 65, of Newton, Iowa, was sentenced to 5 years in prison by U.S. District Court Judge Stephanie M. Rose on charges relating to his alleged unlawful dissemination of controlled substances to patients, announced United States Attorney Nicholas A. Klinefeldt.

“Neither state nor federal authorities in Southern Iowa will turn a blind eye to health care professionals who criminally abuse their authority to prescribe controlled substances and bill insurance companies,” explained U.S. Attorney Nicholas Klinefeldt. “The safety of the community is our top priority.”

Dr. Twyner had previously pled guilty on February 21, 2014 to federal charges of illegally dispensing hydrocodone resulting in death, and health care fraud. Over the course of several years, Dr. Twyner prescribed various controlled substances, mostly pain medications, to patients who had no legitimate need for them, and to some who were admittedly addicted to them. He then billed the patients - and their insurance companies - for the office visits when they sought drugs from him.

Judge Rose accepted the terms of a plea agreement between the U.S. Attorney’s Office and Dr. Twyner, which also called for Dr. Twyner to serve three years of home confinement after he is released from the custody of the U.S. Bureau of Prisons. The Court based its decision to accept the agreement, in part, on Dr. Twyner’s extraordinary acceptance of responsibility for

his actions, which he demonstrated by surrendering his registration to prescribe controlled substances and his medical license while the investigation was ongoing, but before he was charged.

A search warrant was executed on Tuesday, April 5, 2011, at the location of Urgent Care Clinic in Newton, where Dr. Twyner formerly practiced medicine. Records of the Iowa Board of Pharmacy show Dr. Twyner voluntarily surrendered his registration to prescribe controlled substances on April 12, 2011, which was accepted by the Iowa Board of Pharmacy on April 27, 2011. Urgent Care closed one month later, on May 27, 2011. After being charged with unprofessional conduct in January 2012 by the Iowa Board of Medicine related to his dispensing of controlled substances, Dr. Twyner entered in a settlement agreement on July 12, 2012, with the Iowa Board of Medicine in which he agreed to voluntarily surrender his Iowa medical license, and pay a \$10,000 fine.

The United States Drug Enforcement Administration (DEA) regulates the distribution of highly-addictive, or controlled, substances. Its regulatory system classifies substances based on their potential for abuse and dependence, their accepted medical use, and their safety for use under medical supervision. Schedule I contains the most dangerous, addictive, and restricted drugs, with Schedule V containing the least, though still dangerous, of the substances in the hierarchical scheme.

Doctors, pharmacists, and other health care professionals with DEA registrations can lawfully dispense controlled substances if they are doing so in the usual course of their professional practices and for a legitimate medical purpose, but act unlawfully when they do things such as knowingly issuing a prescription to someone who is abusing or diverting a drug, like Dr. Twyner.

The case was investigated by the United States Department of Health and Human Services, Office of Inspector General, the United States Drug Enforcement Administration, the Federal Bureau of Investigation, the Jasper County Sheriff's Department, the Newton Police Department, and the Mid-Iowa Narcotics Enforcement Task Force. The case was prosecuted by the United States Attorney's Office for the Southern District of Iowa.

# # #