

Eastern District of Kentucky

FILED

AUG 13 2020

AT COVINGTON
ROBERT R. CARR
CLERK U.S. DISTRICT COURT

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
NORTHERN DIVISION
COVINGTON**

UNITED STATES OF AMERICA

V.

INDICTMENT NO. 20-30-DLB-CJS

MICHAEL J. GROGAN, M.D.

* * * * *

THE GRAND JURY CHARGES:

INTRODUCTION

At all times material to this Indictment:

1. **MICHAEL J. GROGAN, M.D.** was a practicing physician. He was licensed to practice medicine in Kentucky during all times relevant in this Indictment. He was permitted by the Drug Enforcement Administration (DEA) to write or prescribe narcotic prescriptions. His clinic, "Go Beyond Medicine," was located in Kenton County, Kentucky.

2. 21 C.F.R. § 1306.04(a) provides: A prescription for a controlled substance to be effective must be issued for a legitimate medical purpose by an individual practitioner acting in the usual course of his professional practice. The responsibility for the proper prescribing and dispensing of controlled substances is upon the prescribing practitioner. An order purporting to be a prescription issued not in the usual course of

professional treatment or in legitimate and authorized research is not a prescription within the meaning and intent of Section 309 of the Controlled Substance Act (21 U.S.C. § 829) and the person issuing it shall be subject to the penalties provided for violations of the provisions of law relating to controlled substances.

3. On or about February 1, 2018, and continuing through on or about February 13, 2019, **MICHAEL J. GROGAN, M.D.** was the owner and operator of the Go Beyond Medicine clinic located in Crescent Springs, Kenton County, Kentucky.

4. Schedule II drugs, including Oxycodone and Oxycontin, are used with severe restrictions because of their potential for abuse, which abuse may lead to severe psychological and physical dependence. Oxycontin is the brand name for a time-release formula of oxycodone.

COUNTS 1-257
21 U.S.C. § 841(a)(1)

On or about the dates listed below, in Kenton County, in the Eastern District of Kentucky,

MICHAEL J. GROGAN, M.D.,

did knowingly and intentionally unlawfully distribute and dispense, outside the scope of professional practice and not for a legitimate medical purpose, a mixture or substance containing a detectable amount of the Schedule II controlled substances listed below, all in violation of 21 U.S.C. § 841(a)(1).

Count	Date	Patient	Substance	Dosage	Quantity
1	2/1/2018	J.A.	Oxycodone	15 milligrams	84
2	3/1/2018	J.A.	Oxycodone	15 milligrams	84
3	3/29/2018	J.A.	Oxycodone	15 milligrams	84
4	4/19/2018	J.A.	Oxycodone	15 milligrams	112
5	5/17/2018	J.A.	Oxycodone	15 milligrams	112
6	6/14/2018	J.A.	Oxycodone	15 milligrams	112
7	7/12/2018	J.A.	Oxycodone	15 milligrams	112
8	8/9/2018	J.A.	Oxycodone	15 milligrams	93
9	9/6/2018	J.A.	Oxycodone	15 milligrams	112
10	10/4/2018	J.A.	Oxycodone	15 milligrams	112
11	11/1/2018	J.A.	Oxycodone	15 milligrams	112
12	11/29/2018	J.A.	Oxycodone	15 milligrams	112
13	1/24/2019	J.A.	Oxycodone	15 milligrams	90
14	2/12/2018	J.B.	Oxycodone	30 milligrams	168
15	3/13/2018	J.B.	Oxycodone	30 milligrams	168
16	4/8/2018	L.B.	Oxycodone	30 milligrams	168
17	5/5/2018	L.B.	Oxycodone	30 milligrams	168
18	6/2/2018	L.B.	Oxycodone	30 milligrams	168
19	6/29/2018	L.B.	Oxycodone	30 milligrams	168
20	7/27/2018	L.B.	Oxycodone	30 milligrams	168
21	8/23/2018	L.B.	Oxycodone	30 milligrams	168
22	9/20/2018	L.B.	Oxycodone	30 milligrams	168

23	10/18/2018	L.B.	Oxycodone	30 milligrams	168
24	11/15/2018	L.B.	Oxycodone	30 milligrams	180
25	1/10/2019	L.B.	Oxycodone	30 milligrams	180
26	2/9/2018	To.C.	Oxycodone	15 milligrams	126
27	3/9/2018	To.C.	Oxycodone	15 milligrams	126
28	4/6/2018	To.C.	Oxycodone	20 milligrams	120
29	5/4/2018	To.C.	Oxycodone	20 milligrams	130
30	6/1/2018	To.C.	Oxycodone	20 milligrams	130
31	6/29/2018	To.C.	Oxycodone	20 milligrams	130
32	7/27/2018	To.C.	Oxycodone	20 milligrams	130
33	8/24/2018	To.C.	Oxycodone	20 milligrams	130
34	9/20/2018	To.C.	Oxycodone	20 milligrams	130
35	10/19/2018	To.C.	Oxycodone	20 milligrams	140
36	11/16/2018	To.C.	Oxycodone	20 milligrams	140
37	1/11/2019	To.C.	Oxycodone	20 milligrams	130
38	2/8/2019	To.C.	Oxycodone	20 milligrams	130
39	2/28/2018	Ti.C.	Oxycodone	30 milligrams	140
40	3/28/2018	Ti.C.	Oxycodone	30 milligrams	150
41	4/25/2018	Ti.C.	Oxycodone	30 milligrams	168
42	5/23/2018	Ti.C.	Oxycodone	30 milligrams	168
43	6/20/2018	Ti.C.	Oxycodone	30 milligrams	168
44	7/19/2018	Ti.C.	Oxycodone	30 milligrams	168
45	8/15/2018	Ti.C.	Oxycodone	30 milligrams	168

46	9/12/2018	Ti.C.	Oxycodone	30 milligrams	168
47	10/10/2018	Ti.C.	Oxycodone	30 milligrams	168
48	11/7/2018	Ti.C.	Oxycodone	30 milligrams	168
49	1/2/2019	Ti.C.	Oxycodone	30 milligrams	168
50	1/30/2019	Ti.C.	Oxycodone	30 milligrams	168
51	2/23/2018	Ka.C.	Oxycodone	20 milligrams	140
52	3/23/2018	Ka.C.	Oxycodone	20 milligrams	140
53	4/20/2018	Ka.C.	Oxycodone	30 milligrams	140
54	5/18/2018	Ka.C.	Oxycodone	30 milligrams	140
55	6/15/2018	Ka.C.	Oxycodone	30 milligrams	140
56	7/13/2018	Ka.C.	Oxycodone	30 milligrams	150
57	8/10/2018	Ka.C.	Oxycodone	30 milligrams	150
58	9/7/2018	Ka.C.	Oxycodone	30 milligrams	168
59	10/5/2018	Ka.C.	Oxycodone	30 milligrams	168
60	11/2/2018	Ka.C.	Oxycodone	30 milligrams	168
61	11/30/2018	Ka.C.	Oxycodone	30 milligrams	168
62	1/25/2019	Ka.C.	Oxycodone	30 milligrams	168
63	2/27/2018	Ja.C.	Oxycodone	30 milligrams	150
64	3/27/2018	Ja.C.	Oxycodone	30 milligrams	140
65	4/24/2018	Ja.C.	Oxycodone	30 milligrams	140
66	5/22/2018	Ja.C.	Oxycodone	30 milligrams	140
67	6/19/2018	Ja.C.	Oxycodone	30 milligrams	140
68	7/17/2018	Ja.C.	Oxycodone	30 milligrams	140

69	8/14/2018	Ja.C.	Oxycodone	30 milligrams	140
70	9/11/2018	Ja.C.	Oxycodone	30 milligrams	140
71	10/9/2018	Ja.C.	Oxycodone	30 milligrams	150
72	11/6/2018	Ja.C.	Oxycodone	30 milligrams	150
73	2/6/2018	D.H.	Oxycontin (Oxycodone)	80 milligrams	56
74	2/6/2018	D.H.	Oxycodone	30 milligrams	140
75	3/6/2018	D.H.	Oxycontin (Oxycodone)	80 milligrams	56
76	3/6/2018	D.H.	Oxycodone	30 milligrams	140
77	4/2/2018	D.H.	Oxycodone	30 milligrams	140
78	4/2/2018	D.H.	Oxycontin (Oxycodone)	80 milligrams	56
79	4/30/2018	D.H.	Oxycontin (Oxycodone)	80 milligrams	56
80	4/30/2018	D.H.	Oxycodone	30 milligrams	140
81	5/29/2018	D.H.	Oxycodone	30 milligrams	140
82	5/29/2018	D.H.	Oxycontin (Oxycodone)	80 milligrams	56
83	6/26/2018	D.H.	Oxycontin (Oxycodone)	80 milligrams	56
84	6/26/2018	D.H.	Oxycodone	30 milligrams	140
85	7/24/2018	D.H.	Oxycodone	30 milligrams	140
86	7/24/2018	D.H.	Oxycontin (Oxycodone)	80 milligrams	56
87	8/21/2018	D.H.	Oxycodone	30 milligrams	140

88	8/21/2018	D.H.	Oxycontin (Oxycodone)	80 milligrams	56
89	9/18/2018	D.H.	Oxycontin (Oxycodone)	80 milligrams	56
90	9/18/2018	D.H.	Oxycodone	30 milligrams	140
91	10/16/2018	D.H.	Oxycontin (Oxycodone)	80 milligrams	56
92	10/16/2018	D.H.	Oxycodone	30 milligrams	140
93	11/13/2018	D.H.	Oxycontin (Oxycodone)	80 milligrams	56
94	11/13/2018	D.H.	Oxycodone	30 milligrams	150
95	1/8/2019	D.H.	Oxycontin (Oxycodone)	80 milligrams	56
96	1/8/2019	D.H.	Oxycodone	30 milligrams	160
97	2/5/2019	D.H.	Oxycodone	30 milligrams	160
98	2/5/2019	D.H.	Oxycontin (Oxycodone)	80 milligrams	56
99	2/27/2018	J.H.	Oxycodone	30 milligrams	84
100	3/27/2018	J.H.	Oxycodone	30 milligrams	84
101	4/24/2018	J.H.	Oxycodone	30 milligrams	84
102	5/22/2018	J.H.	Oxycodone	30 milligrams	84
103	6/19/2018	J.H.	Oxycodone	30 milligrams	84
104	7/17/2018	J.H.	Oxycodone	30 milligrams	84
105	8/14/2018	J.H.	Oxycodone	30 milligrams	84
106	9/11/2018	J.H.	Oxycodone	30 milligrams	84

107	10/9/2018	J.H.	Oxycodone	30 milligrams	84
108	11/6/2018	J.H.	Oxycodone	30 milligrams	84
109	1/2/2019	J.H.	Oxycodone	30 milligrams	84
110	1/29/2019	J.H.	Oxycodone	30 milligrams	70
111	2/28/2018	T.I.	Oxycodone	30 milligrams	140
112	3/28/2018	T.I.	Oxycodone	30 milligrams	168
113	4/25/2018	T.I.	Oxycodone	30 milligrams	168
114	5/23/2018	T.I.	Oxycodone	30 milligrams	168
115	6/20/2018	T.I.	Oxycodone	30 milligrams	168
116	7/18/2018	T.I.	Oxycodone	30 milligrams	168
117	8/15/2018	T.I.	Oxycodone	30 milligrams	168
118	9/12/2018	T.I.	Oxycodone	30 milligrams	168
119	10/10/2018	T.I.	Oxycodone	30 milligrams	168
120	11/7/2018	T.I.	Oxycodone	30 milligrams	168
121	1/3/2019	T.I.	Oxycodone	30 milligrams	168
122	1/30/2019	T.I.	Oxycodone	30 milligrams	168
123	2/13/2018	B.K.	Oxycodone	15 milligrams	84
124	3/9/2018	B.K.	Oxycodone	20 milligrams	84
125	4/10/2018	B.K.	Oxycodone	20 milligrams	84
126	5/4/2018	B.K.	Oxycodone	20 milligrams	84
127	6/1/2018	B.K.	Oxycodone	20 milligrams	100
128	6/29/2018	B.K.	Oxycodone	20 milligrams	100
129	7/27/2018	B.K.	Oxycodone	20 milligrams	100

130	8/24/2018	B.K.	Oxycodone	20 milligrams	112
131	9/20/2018	B.K.	Oxycodone	20 milligrams	112
132	10/18/2018	B.K.	Oxycodone	20 milligrams	112
133	1/22/2019	B.K.	Oxycodone	20 milligrams	112
134	2/20/2018	L.L.	Oxycodone	30 milligrams	140
135	3/20/2018	L.L.	Oxycodone	30 milligrams	140
136	4/17/2018	L.L.	Oxycodone	30 milligrams	140
137	5/15/2018	L.L.	Oxycodone	30 milligrams	140
138	6/12/2018	L.L.	Oxycodone	30 milligrams	150
139	7/10/2018	L.L.	Oxycodone	30 milligrams	150
140	8/7/2018	L.L.	Oxycodone	30 milligrams	160
141	9/4/2018	L.L.	Oxycodone	30 milligrams	160
142	10/2/2018	L.L.	Oxycodone	30 milligrams	168
143	10/30/2018	L.L.	Oxycodone	30 milligrams	140
144	11/27/2018	L.L.	Oxycodone	30 milligrams	140
145	1/22/2019	L.L.	Oxycodone	30 milligrams	140
146	2/22/2018	S.M.	Oxycontin (Oxycodone)	40 milligrams	56
147	2/22/2018	S.M.	Oxycodone	30 milligrams	168
148	3/20/2018	S.M.	Oxycodone	30 milligrams	168
149	3/20/2018	S.M.	Oxycontin (Oxycodone)	40 milligrams	56
150	4/17/2018	S.M.	Oxycontin (Oxycodone)	40 milligrams	56
151	4/17/2018	S.M.	Oxycodone	30 milligrams	168

152	5/15/2018	S.M.	Oxycodone	30 milligrams	168
153	5/15/2018	S.M.	Oxycontin (Oxycodone)	40 milligrams	56
154	6/8/2018	S.M.	Oxycontin (Oxycodone)	40 milligrams	56
155	6/8/2018	S.M.	Oxycodone	30 milligrams	168
156	7/6/2018	S.M.	Oxycodone	30 milligrams	168
157	7/6/2018	S.M.	Oxycontin (Oxycodone)	40 milligrams	56
158	8/3/2018	S.M.	Oxycontin (Oxycodone)	40 milligrams	56
159	8/3/2018	S.M.	Oxycodone	30 milligrams	168
160	8/31/2018	S.M.	Oxycodone	30 milligrams	168
161	8/31/2018	S.M.	Oxycontin (Oxycodone)	40 milligrams	56
162	9/28/2018	S.M.	Oxycodone	30 milligrams	168
163	9/28/2018	S.M.	Oxycontin (Oxycodone)	40 milligrams	56
164	10/26/2018	S.M.	Oxycodone	30 milligrams	168
165	10/26/2018	S.M.	Oxycontin (Oxycodone)	40 milligrams	56
166	11/21/2018	S.M.	Oxycodone	30 milligrams	168
167	11/21/2018	S.M.	Oxycontin (Oxycodone)	40 milligrams	56
168	1/17/2019	S.M.	Oxycodone	30 milligrams	168
169	1/17/2019	S.M.	Oxycontin (Oxycodone)	40 milligrams	56

170	2/8/2018	C.M.	Oxycontin (Oxycodone)	60 milligrams	56
171	2/8/2018	C.M.	Oxycodone	30 milligrams	154
172	3/8/2018	C.M.	Oxycontin (Oxycodone)	60 milligrams	56
173	3/8/2018	C.M.	Oxycodone	30 milligrams	154
174	4/5/2018	C.M.	Oxycontin (Oxycodone)	60 milligrams	56
175	4/5/2018	C.M.	Oxycodone	30 milligrams	168
176	4/25/2018	C.M.	Oxycodone	30 milligrams	150
177	4/25/2018	C.M.	Oxycontin (Oxycodone)	60 milligrams	56
178	5/23/2018	C.M.	Oxycodone	30 milligrams	150
179	5/23/2018	C.M.	Oxycontin (Oxycodone)	60 milligrams	56
180	6/18/2018	C.M.	Oxycontin (Oxycodone)	80 milligrams	56
181	6/18/2018	C.M.	Oxycodone	30 milligrams	150
182	7/17/2018	C.M.	Oxycodone	30 milligrams	150
183	7/17/2018	C.M.	Oxycontin (Oxycodone)	80 milligrams	56
184	8/14/2018	C.M.	Oxycontin (Oxycodone)	80 milligrams	56
185	8/14/2018	C.M.	Oxycodone	30 milligrams	160
186	8/30/2018	C.M.	Oxycodone	30 milligrams	90

187	9/11/2018	C.M.	Oxycontin (Oxycodone)	80 milligrams	56
188	9/11/2018	C.M.	Oxycodone	30 milligrams	180
189	10/9/2018	C.M.	Oxycontin (Oxycodone)	80 milligrams	56
190	10/9/2018	C.M.	Oxycodone	30 milligrams	196
191	11/6/2018	C.M.	Oxycontin (Oxycodone)	80 milligrams	56
192	11/6/2018	C.M.	Oxycodone	30 milligrams	196
193	12/21/2018	C.M.	Oxycontin (Oxycodone)	80 milligrams	56
194	12/21/2018	C.M.	Oxycodone	30 milligrams	196
195	2/8/2018	M.M.	Oxycodone	30 milligrams	140
196	3/8/2018	M.M.	Oxycodone	30 milligrams	140
197	4/5/2018	M.M.	Oxycodone	30 milligrams	140
198	5/3/2018	M.M.	Oxycodone	30 milligrams	150
199	5/31/2018	M.M.	Oxycodone	30 milligrams	150
200	6/28/2018	M.M.	Oxycodone	30 milligrams	150
201	7/26/2018	M.M.	Oxycodone	30 milligrams	150
202	8/23/2018	M.M.	Oxycodone	30 milligrams	150
203	9/20/2018	M.M.	Oxycodone	30 milligrams	150
204	10/18/2018	M.M.	Oxycodone	30 milligrams	150
205	11/15/2018	M.M.	Oxycodone	30 milligrams	140
206	1/10/2019	M.M.	Oxycodone	30 milligrams	140

207	2/7/2019	M.M.	Oxycodone	30 milligrams	140
208	2/1/2018	T.R.	Oxycodone	20 milligrams	168
209	3/1/2018	T.R.	Oxycodone	15 milligrams	168
210	3/29/2018	T.R.	Oxycodone	15 milligrams	180
211	4/26/2018	T.R.	Oxycodone	20 milligrams	180
212	5/24/2018	T.R.	Oxycodone	30 milligrams	168
213	6/13/2018	T.R.	Oxycodone	30 milligrams	180
214	7/11/2018	T.R.	Oxycodone	30 milligrams	180
215	8/7/2018	T.R.	Oxycodone	30 milligrams	180
216	8/31/2018	T.R.	Oxycodone	30 milligrams	180
217	9/28/2018	T.R.	Oxycodone	30 milligrams	180
218	10/26/2018	T.R.	Oxycodone	30 milligrams	180
219	11/20/2018	T.R.	Oxycodone	30 milligrams	180
220	2/13/2018	D.S.	Oxycodone	20 milligrams	168
221	2/13/2018	D.S.	Oxycontin (Oxycodone)	80 milligrams	84
222	3/6/2018	D.S.	Oxycodone	30 milligrams	40
223	3/13/2018	D.S.	Oxycodone	30 milligrams	140
224	3/13/2018	D.S.	Oxycontin (Oxycodone)	80 milligrams	84
225	4/9/2018	D.S.	Oxycontin (Oxycodone)	80 milligrams	84
226	4/9/2018	D.S.	Oxycodone	30 milligrams	140
227	5/7/2018	D.S.	Oxycodone	30 milligrams	140

228	5/7/2018	D.S.	Oxycontin (Oxycodone)	80 milligrams	84
229	6/4/2018	D.S.	Oxycodone	30 milligrams	140
230	6/4/2018	D.S.	Oxycontin (Oxycodone)	80 milligrams	84
231	6/27/2018	D.S.	Oxycodone	20 milligrams	40
232	7/2/2018	D.S.	Oxycontin (Oxycodone)	80 milligrams	84
233	7/2/2018	D.S.	Oxycodone	30 milligrams	154
234	7/30/2018	D.S.	Oxycodone	30 milligrams	160
235	7/30/2018	D.S.	Oxycontin (Oxycodone)	80 milligrams	84
236	8/27/2018	D.S.	Oxycontin (Oxycodone)	80 milligrams	84
237	8/27/2018	D.S.	Oxycodone	30 milligrams	168
238	9/20/2018	D.S.	Oxycodone	30 milligrams	168
239	9/20/2018	D.S.	Oxycontin (Oxycodone)	80 milligrams	84
240	10/22/2018	D.S.	Oxycontin (Oxycodone)	80 milligrams	84
241	10/22/2018	D.S.	Oxycodone	30 milligrams	168
242	11/19/2018	D.S.	Oxycodone	30 milligrams	168
243	11/19/2018	D.S.	Oxycontin (Oxycodone)	80 milligrams	84
244	1/14/2019	D.S.	Oxycontin (Oxycodone)	80 milligrams	84
245	1/14/2019	D.S.	Oxycodone	30 milligrams	168

246	2/11/2019	D.S.	Oxycodone	30 milligrams	168
247	9/25/2018	P.W.	Oxycodone	30 milligrams	168
248	2/13/2018	P.W.	Oxycodone	30 milligrams	155
249	3/13/2018	P.W.	Oxycodone	30 milligrams	168
250	4/10/2018	P.W.	Oxycodone	30 milligrams	168
251	5/8/2018	P.W.	Oxycodone	30 milligrams	168
252	6/5/2018	P.W.	Oxycodone	30 milligrams	168
253	7/3/2018	P.W.	Oxycodone	30 milligrams	168
254	7/31/2018	P.W.	Oxycodone	30 milligrams	168
255	8/28/2018	P.W.	Oxycodone	30 milligrams	168
256	10/23/2018	P.W.	Oxycodone	30 milligrams	168
257	11/21/2018	P.W.	Oxycodone	30 milligrams	168

A TRUE BILL



**ROBERT M. DUNCAN, JR.
UNITED STATES ATTORNEY**

PENALTIES

COUNTS 1–257: Not more than 20 years imprisonment, a \$1,000,000 fine, and at least 3 years supervised release.

If a prior drug felony, not more than 30 years imprisonment, a fine of not more than \$2,000,000, and at least 6 years supervised release.

PLUS: Mandatory special assessment of \$100 per count.

PLUS: Restitution, if applicable.