

Eastern District of Kentucky  
**FILED**

**JAN 13 2022**

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. 21-63-DLB-CJS**

**KENDALL HANSEN, M.D.,**

\* \* \* \* \*

**THE GRAND JURY CHARGES:**

At all times material to this Superseding Indictment:

1. **KENDALL HANSEN** was a physician practicing in or around Crestview Hills, Kentucky. He was licensed to practice medicine in Kentucky and permitted by the United States Drug Enforcement Administration ("DEA") to prescribe controlled substances.

2. Interventional Pain Specialists, PLC ("IPS") was a Kentucky Limited Liability Company that was owned in part by **HANSEN** and located in Crestview Hills, Kentucky.

**BACKGROUND ON CONTROLLED SUBSTANCES**

3. The Controlled Substances Act ("CSA") governed the manufacture, distribution, and dispensing of controlled substances in the United States.

4. Under the CSA, the DEA regulated certain pharmaceutical drugs designated as "controlled substances" because of their potential for abuse or dependence, their

accepted medical use, and their accepted safety for use under medical supervision. *See* 21 U.S.C. § 802(6).

5. The DEA issued registration numbers to qualifying practitioners, including physicians, which permitted them to dispense Schedule II, III, IV, and V controlled substances consistent with the terms of that registration. 21 U.S.C. § 822.

6. “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 . . . .” 21 C.F.R. § 1306.04(a).

**COUNT 1**  
**Conspiracy to Distribute Controlled Substances to IPS Patients**  
**(21. U.S.C. § 846)**

7. **HANSEN** and others known and unknown to the Grand Jury prescribed opioids in high doses and in dangerous combinations with other medications.

8. IPS patients died of opioid overdoses after receiving controlled substance prescriptions written by **HANSEN** and other providers and under circumstances in which **HANSEN** and/or other providers’ prescribing contributed to these patients’ overdose deaths.

9. **HANSEN** knew about or should have known about IPS patient deaths. Nonetheless, **HANSEN** ignored this and other evidence of his and other IPS doctors’ dangerous prescribing and continued with the same prescribing practices in part because it allowed him and other IPS doctors to submit claims for reimbursement to health insurers

for procedures performed on IPS patients.

10. From in or around June 2011, and continuing through in or around February 2019, in Kenton County, in the Eastern District of Kentucky, and elsewhere,

**KENDALL HANSEN, M.D.**

did conspire and agree with others, known and unknown to the Grand Jury, to knowingly and intentionally distribute and dispense controlled substances pursuant to prescriptions that were not issued for a legitimate medical purpose by an individual practitioner acting in the usual course of his professional practice, in violation of 21 U.S.C. § 841(a)(1), all in violation of 21 U.S.C. § 846.

**COUNTS 2-5**  
**Distribution of a Controlled Substance**  
**(21 U.S.C. § 841(a)(1))**

11. Paragraphs 1 through 10 of this Superseding Indictment are realleged and incorporated by reference as though fully set forth herein.

12. On or about the dates listed below, in Kenton County, in the Eastern District of Kentucky, and elsewhere,

**KENDALL HANSEN, M.D.**

did knowingly and intentionally distribute and dispense controlled substances pursuant to prescriptions that were not issued for a legitimate medical purpose by an individual practitioner acting in the usual course of his professional practice, as set forth below:

Count	Approximate Date Prescription Written	Substances Distributed To	Substance Name	Qty.
2	January 9, 2018	LL	Oxycodone Hydrochloride	87

Count	Approximate Date Prescription Written	Substances Distributed To	Substance Name	Qty.
3	February 5, 2018	JB	Fentanyl Duragesic Patch (25 mcg/hr.)	10
4	February 5, 2018	JB	Fentanyl Duragesic Patch (100 mcg/hr.)	10
5	March 13, 2018	MR	Hydrocodone/Acetaminophen	116

Each of the above in violation of 21 U.S.C. § 841(a)(1) and 18 U.S.C. § 2.

### **COUNT 6**

#### **Conspiracy to Distribute Controlled Substances Through IPS Employees (21 U.S.C. § 846)**

13. **HANSEN** also concealed his diversion of controlled substances at the same time he was prescribing controlled substances to IPS patients. In particular, **HANSEN** wrote prescriptions in the name of IPS employees and instructed these IPS employees, including IPS Employees 1 and 2, to fill the prescriptions and turn the controlled substances that the employees obtained from these prescriptions back over to **HANSEN**.

14. From in or around December 2010, and continuing through in or around March 2018, in Kenton County, in the Eastern District of Kentucky, and elsewhere,

#### **KENDALL HANSEN, M.D.**

did conspire and agree with others, including Employees 1 and 2, to knowingly and intentionally distribute and dispense controlled substances pursuant to prescriptions that were not issued for a legitimate medical purpose by an individual practitioner acting in the usual course of his or her professional practice, in violation of 21 U.S.C. § 841(a)(1), all in violation of 21 U.S.C. § 846.

**COUNTS 7-8****Distribution of a Controlled Substance to IPS Employees  
(21 U.S.C. § 841(a)(1))**

15. On or about the dates listed below, in Kenton County, in the Eastern District of Kentucky, and elsewhere,

**KENDALL HANSEN, M.D.**

did knowingly and intentionally distribute and dispense controlled substances pursuant to prescriptions that were not issued for a legitimate medical purpose by an individual practitioner acting in the usual course of his or her professional practice, as set forth below:

<b>Count</b>	<b>Approximate Date Prescription Written</b>	<b>Substances Distributed To</b>	<b>Substance Name</b>	<b>Qty.</b>
7	November 21, 2016	Employee 2	Tramadol	480
8	March 13, 2018	Employee 2	Phentermine Hcl 37.5MG	30

Each of the above in violation of 21 U.S.C. § 841(a)(1) and 18 U.S.C. § 2.

**FORFEITURE ALLEGATIONS**

1. Upon conviction of the offenses in this Superseding Indictment, **KENDALL HANSEN** shall forfeit to the United States of America, pursuant to 21 U.S.C. § 853(a), any property constituting, or derived from, any proceeds they obtained, directly or indirectly, as the result of the aforesaid violations of 21 U.S.C. §§ 841(a)(1) and 846 and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violations.

2. The property to be forfeited includes, but is not limited to, the following:

- a. **KENDALL HANSEN's** medical license(s) and any rights and privileges associated with those license(s);
- b. any DEA registration(s) for **KENDALL HANSEN**; and
- c. a forfeiture money judgment in the amount of the gross proceeds obtained by the Defendant as a result of the aforesaid violations.

3. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property that cannot be subdivided without difficulty;

it is the intent of the United States to seek the forfeiture of any other property in which the defendant has an interest, up to the value of the property and proceeds described above.

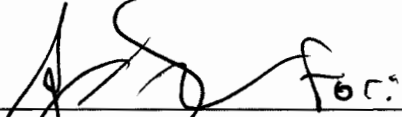
**A TRUE BILL**

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**CARLTON S. SHIER, IV**  
**UNITED STATES ATTORNEY**



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**JOSEPH S. BEEMSTERBOER**  
**ACTING CHIEF, FRAUD SECTION**  
**U.S. DEPARTMENT OF JUSTICE**



**PENALTIES**

**COUNTS 1-8:**

Schedule II controlled substance:

Not more than 20 years imprisonment, a fine of not more than \$1,000,000, and supervised release of at least 3 years

Schedule IV controlled substance:

Not more than 5 years, a fine not to exceed \$250,000.

**If prior felony drug conviction:** Not more than 30 years imprisonment, a \$2,000,000 fine, and at least 6 years supervised release.

**PLUS:**

Mandatory special assessment of \$100 per count.

**PLUS:**

Restitution, if applicable.

**PLUS:**

Forfeiture as listed.