



Department of Justice

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Eastern Kentucky Doctor and Assistant Plead Guilty To Unlawfully Distributing Opioids

LEXINGTON, Ky. – A Kentucky doctor and his office assistant pleaded guilty today for their roles in unlawfully distributing opioids and other controlled substances during a time when the defendants did not have a legitimate medical practice.

Scotty Akers, M.D., 48, a licensed physician, and Serissa Akers, 33, his wife and former office assistant, both of Pikeville, Kentucky, pleaded guilty to unlawfully distributing controlled substances. As part of the plea, Scotty Akers also agreed to a money judgement of \$12,275. Sentencing has been scheduled for November 20, 2020.

As part of their guilty pleas, the defendants admitted to using Facebook messenger to sell unnecessary prescriptions for opioids. According to their plea agreements, Serissa Akers exchanged prescriptions written by Scotty Akers for cash in parking lots around Pikeville. The defendants also admitted that they performed no physical examinations that would justify these parking-lot prescriptions, failed to keep virtually any records on the patients who received these prescriptions, allowed patients to receive early refills, and failed to engage in other measures that prevent the abuse and diversion of opioids. The defendants continued operating their opioid-delivery scheme even after they came under investigation and up until the moment when Scotty Akers's medical license was suspended.

Acting Assistant Attorney General Brian C. Rabbitt of the Justice Department's Criminal Division, U.S. Attorney Robert M. Duncan Jr. of the Eastern District of Kentucky, Special Agent in Charge Derrick Jackson of the U.S. Department of Health and Human Services Office of Inspector General's (HHS-OIG) Atlanta Field Office, Special Agent in Charge Jeffrey T. Scott of the U.S. Drug Enforcement Administration's (DEA) Louisville Field Division, and Executive Director W. Bryan Hubbard of the Kentucky Medicaid Fraud Control Unit (MFCU) made the announcement.

"The unlawful distribution of opioids by medical professionals is unacceptable," said Robert M. Duncan, Jr., United States Attorney for the Eastern District of Kentucky. "We will continue to vigorously investigate and prosecute these important cases."

HHS-OIG, DEA and Kentucky MFCU investigated the case. Assistant Chief Katherine E. Payerle and Trial Attorney Dermot Lynch of the Criminal Division's Fraud Section and Assistant U.S. Attorney Andrew E. Smith of the Eastern District of Kentucky are prosecuting the case.

The ARPO Strike Force is made up of prosecutors and data analysts with the Department of Justice's Fraud Section, prosecutors with the ten U.S. Attorney's Offices in the Appalachian region, and special agents with the FBI, HHS-OIG and DEA. The ARPO Strike Force operates out of two hubs based in Ft. Mitchell, Kentucky, and Nashville, Tennessee, areas, supporting the ten districts that make up the ARPO Strike Force region. In addition, the APRO Strike Force works closely with other state and federal law enforcement agencies, including the Kentucky Medicaid Fraud Control Unit.

Since its inception in October 2018, the ARPO Strike Force, which operates in ten districts, has charged more than 70 defendants who are collectively responsible for distributing approximately 50 million pills. Thus far there have been 30 guilty pleas as a result of ARPO Strike Force's efforts. The ARPO Strike Force is part of the Medicare Fraud Strike Force Program, led by the Fraud Section. Since its inception in March 2007, the Medicare Fraud Strike Force, which maintains 15 strike forces operating in 24 districts, has charged more than 4,200 defendants who have collectively billed the Medicare program for approximately \$19 billion. In addition, the U.S. Department of Health and Human Services (HHS) Centers for Medicare & Medicaid Services, working in conjunction with the HHS-Office of Inspector General, are taking steps to increase accountability and decrease the presence of fraudulent providers.

Individuals who believe that they may be a victim in this case should visit the Fraud Section's [Victim Witness website](#) for more information.

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