

For Immediate Release
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**FEDERAL JURY FINDS PORTALES PHYSICIAN GUILTY
OF VIOLATING FEDERAL NARCOTICS LAWS**

ALBUQUERQUE – Last night, a federal jury sitting in Albuquerque convicted **Patricia Josephine Green, M.D.**, 56, of unlawfully dispensing methadone outside the scope of professional practice and for no legitimate medical reason to an undercover officer who was posing as a patient. Dr. Green, a physician who owns and operates the Sparrow Medical Clinic in Portales, New Mexico, was acquitted of a second charge of unlawfully dispensing methadone where the patient's subsequent use of methadone resulted in his death.

After the jury returned its verdict, Dr. Green was remanded into the custody of the U.S. Marshal's Service pending her sentencing hearing, which has yet to be scheduled. United States Attorney Kenneth J. Gonzales said that, based on her conviction, Dr. Green faces a maximum penalty of 20 years' imprisonment; a \$1,000,000 fine; and three years of supervised release when she is sentenced.

With respect to the crime of conviction, the evidence at trial established that Dr. Green unlawfully prescribed methadone to a Region V Drug Task Force officer who was working in an undercover capacity on September 9, 2008. Although Dr. Green was only authorized to prescribe methadone for pain management, and not for drug treatment or any other purpose, she prescribed methadone for drug treatment, rather than pain purposes, to the officer. The officer testified that, he presented at Dr. Green's clinic in Portales on September 5, 2008, after learning that she was willing to prescribe methadone to patients who did not require it for pain management. As his cover story, the officer told Dr. Green that he required a Department of Transportation (DOT) medical certification in order to obtain a commercial driver's license.

While Dr. Green was completing the DOT form, which included questions regarding habit forming drug use, the officer told Dr. Green that he had a drug habit and inquired about treatment for his habit. Dr. Green responded that the officer would have to make a separate appointment to address treatment for his drug addiction, and marked “NO” on the questions regarding drug use on the DOT form. The officer wore a recording device during his appointment with Dr. Green, and the recording of their conversation was part of the evidence considered by the jury.

The officer testified that, when he returned to Dr. Green’s clinic on September 9, 2008, for a follow-up appointment, he was equipped with an audio-recording device that recorded his conversation with Dr. Green. During his appointment with Dr. Green, the officer explained that he had been smoking heroin for approximately six-months and had become addicted, and said he had heard that Dr. Green might be able to prescribe something to help him. After confirming that the officer was still using heroin, Dr. Green asked whether the officer needed a prescription for methadone. Dr. Green then explained that she could only prescribe methadone for pain, and asked the officer whether he was in any pain. The officer denied experiencing any pain. After Dr. Green again inquired if the officer was in any pain and he again denied having any pain, Dr. Green said that she would note that he had back pain. Then Dr. Green stated, “I’ll give you some methadone and see if it helps you stop the cravings.”

When Dr. Green gave the officer a prescription for methadone, she cautioned him against filling the prescription in Portales by falsely claiming that he could not get the prescription filled there, and instead recommended that he fill the prescription in Clovis. Dr. Green reminded the officer to say that the methadone was for “back pain” if he was asked about the reason why he was prescribed methadone. Dr. Green warned the officer against saying that the methadone was

for his heroin addiction because she already had the police and pharmacy “on her back.”

Dr. Green testified in her own defense and admitted that she was only permitted to prescribe methadone for pain management purposes. Dr. Green also admitted that she was not permitted to prescribe methadone for drug treatment purposes, but claimed that she prescribed the methadone to the officer for anticipatory pain – pain that the officer would experience as he tried to overcome his heroin addiction. The jury deliberated approximately four hours before finding her guilty of unlawfully prescribing methadone to the officer on September 9, 2008.

The case was investigated by the Drug Enforcement Administration and the Region V Drug Enforcement Task Force, and is being prosecuted by Assistant United States Attorneys Joel R. Meyers and Nicholas Jon Ganjei.

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