



Department of Justice

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Floyd County Dentist Pleads Guilty to Health Care Fraud

FRANKFORT, Ky.- A McDowell, Ky., man, Denver D. Tackett, DMD, 66, pleaded guilty on Tuesday, before U.S. District Judge Gregory Van Tatenhove, to health care fraud.

According to the plea agreement, Tackett, a licensed dentist who owned and operated Tackett Family Dentistry in McDowell, Ky., submitted false and unnecessary claims to Kentucky Medicaid for reimbursement for dental procedures and services performed at his practice. Tackett admitted to performing, and submitting claims for, dental procedures that were not reasonable or necessary for the diagnosis and treatment of a patient's illness or injury. For example, Tackett submitted claims for "surgical" extractions when he had only performed a "simple" extraction, a lower reimbursing procedure, or a "surgical" extraction was not medically necessary.

In total, Tackett admitted to submitting more than \$95,000 in reimbursement claims to Kentucky Medicaid and its fiscal intermediaries for medically unnecessary dental procedures.

As part of his plea agreement, Tackett agreed to permanently surrender his Drug Enforcement Administration registration and agreed to refrain from seeking registration in the future. Without a DEA registration, healthcare professionals are not able to lawfully prescribe controlled substances. Tackett also agreed to pay restitution of at least \$70,000, and agreed to a forfeiture money judgement of \$20,000.

Tackett was indicted in April 2019 as part of the Appalachian Regional Prescription Opioid (ARPO) Strike Force initiative.

Robert M. Duncan, Jr., United States Attorney for the Eastern District of Kentucky; Jeffrey T. Scott, Special Agent in Charge, DEA, Louisville Field Division; and Daniel Cameron, Kentucky Attorney General, jointly announced the guilty plea.

The investigation was conducted by DEA, Kentucky Office of the Attorney General, and AHIDTA. The United States was represented by Assistant U.S. Attorney Andrew Smith and Assistant Chief Kate Payerle from the Department of Justice's Fraud Section.

Tackett is scheduled to be sentenced on December 15, 2020. He faces up to 10 years in prison and a maximum fine of \$250,000. However, any sentence will be imposed by the Court after consideration of the U.S. Sentencing Guidelines and the federal sentencing statutes.

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.

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