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United States Attorney Zachary A. Cunha Press Conference

U.S. Attorney's Office – Thursday, March 2, 2023

Remarks as Prepared for Delivery

Good morning-

I'm United States Attorney Zachary Cunha, and I'd like to thank you all for joining us here this morning. We are here today to announce charges against Recovery Connections of America: a local and regional provider of addiction counselling and treatment services, as well as two of that company's leaders: its owner, Michael Brier, of Newton, Massachusetts; and former employee Mi Ok Bruining, of Warwick, Rhode Island, who worked as a supervisory counselor.

Both defendants were taken into custody this morning and charged with carrying out what we allege to have been a massive health care fraud scheme that deprived patients of the treatment they needed and resulted in millions of dollars of insurer billings for addiction treatment and therapy services that were grossly less than claimed, impacting the roughly 1,500 patients who utilized Recovery Connection's services, primarily here in Rhode Island as well as neighboring Massachusetts.

Before I go any further, I'd like to welcome Special Agent in Charge Phillip Coyne from the Office of Inspector General for the Department of Health and Human Services as well as Special Agent in Charge Joseph Bonavolonta of the FBI's Boston Division; both of whom you will hear from in just a few moments. Thank you both for being here with us.

Also joining me are First Assistant United States Attorney Sara Bloom and Assistant U.S. Attorney Kevin Love Hubbard, who are leading this prosecution and who have overseen the superb investigative work of these agencies that brings us to where we are today, and I'd also like to thank our federal law enforcement colleagues at the IRS and state counterparts at the Rhode Island Office of Attorney General for their assistance in the course of our investigation. I'll introduce our final guest in just a moment.

The heart of this case is simple. As we allege in a criminal complaint filed in federal district court and unsealed today, under the guise of running recovery clinics that supposedly provided much-needed medical and therapy services to men and women in Rhode Island and Massachusetts who needed help in their struggles with addiction, these defendants in fact shortchanged their patients, providing them with little to no therapy or support, while at the same time billing Medicare and other insurers as if they had- for example by billing for 45 minute therapy sessions when patients were really seen for less than 15

minutes – in some cases substantially less than that- and by billing for so many therapy sessions in one day that it would have been physically impossible for a provider to have conducted the sessions. As reflected in the complaint, according to one witness, Defendant Bruining was known as the “five minute queen,” because her counselling sessions would last no longer than that. In another instance, a former employee was equipped with a bell that they would ring to ensure that the flow of patients moved along briskly. And all the while, Recovery Connection billed for 45 minute sessions that patients didn’t get.

We also allege that Michael Brier, who is not a doctor, but who *is* a previously convicted federal felon guilty of tax evasion and criminal contempt, used real physicians’ DEA license numbers, without those doctors’ knowledge or permission, to fill suboxone or buprenorphine prescriptions.

We also allege that Mr. Brier sought to obstruct the investigation by creating a false and back-dated document to try to cover up for his past false submissions.

As we stand here today, we are all painfully aware of the ways in which Rhode Island – and New England in general- continues to wrestle with the ravages of the opioid crisis. And we are all equally mindful of the fact that the devastation that addiction wreaks across our communities touches us all, no matter where we live, what we do, or who we are.

And while this office remains emphatically committed to vigorously prosecuting those who are engaged in the significant and violent trafficking of illegal drugs in our communities, our response to the opioid crisis, to the lethal dangers of fentanyl, to the ravages of addiction- that response, if it is to be effective, cannot come from law enforcement alone.

Addressing the disease and crisis of addiction requires not just robust law enforcement targeting the drug supply, but support for medically assisted treatment, for medical interventions like making naloxone (or Narcan) widely available and accessible in our communities, and for medically sound recovery and treatment programs that people can access without stigma.

That’s what makes the fraud scheme that we have charged today so particularly pernicious – that not only was this scheme, as we allege, designed to defraud by enriching these defendants with federal and private healthcare dollars they did not earn, but that in the process it cheated a vulnerable population of recovery patients out of the full and genuine support and treatment that they need to have a chance at recovery.

Today’s charges should serve notice that we are not going to stand by in the face of this kind of fraud that victimizes a vulnerable population by shortchanging them of critical help while defendants help themselves to the federal taxpayer’s money in the process.

But equally, we are going to do so in a way that does not compromise access to vital recovery resources.

On that point, I would like to introduce, recognize, and thank Commander Patrick Neubert, on detail from the U.S. Public Health Service, who serves as the Inspector General for Health and Human Services’ representative on the Opioid Rapid Response Program (ORRP).

The Response Program’s mandate is to provide support and referrals to individuals in need of recovery services when law enforcement takes action against a service provider, as we have today. To the extent that patients become unable to receive services and treatment at their existing locations, the Response Program and the Rhode Island and Massachusetts Departments of Health are fully briefed, involved, and ready, to provide referrals and ensure continuity of care, care that each and every patient of Recovery Connection expects, deserves, and that the government or private insurers are paying for. I’d like to thank Commander Neubert, the Response Team, as well as the state Health Departments of both Rhode

Island and Massachusetts, for their support and coordination in ensuring that today's arrests and charges do not deprive patients of medication and treatment that they depend on.

Any Rhode Island or Massachusetts patient of Recovery Connection impacted by today's action who cannot obtain medication and therapy at their existing treatment location should reach out to the numbers shown here for help connecting with a provider who can ensure that they retain the ability to access prescription treatment for opioid use disorder, and can put them in touch with providers who can get them the counselling and support services they need.

And with that, I'll turn this over for some brief remarks to Special Agents Coyne and Bonavolanta, and then we'll take any questions you may have.

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