



UNITED STATES DEPARTMENT OF JUSTICE

THE UNITED STATES ATTORNEY'S OFFICE

MIDDLE DISTRICT *of* FLORIDA

**Pharmacist And Former Owner Of St. George Pharmacy Pleads Guilty
To Conspiracy To Commit Health Care Fraud**

FOR IMMEDIATE RELEASE

May 24 , 2013

Tampa, Florida - United States Attorney Robert E. O'Neill announces that Samuel Wahba (45, Palm Harbor) pleaded guilty yesterday to conspiracy to commit health care fraud, lying to a federal agency, making false claims to a federal health care program, and concealing his exclusion from all federal health care programs with the intent to fraudulently seek payment from such programs. Wahba faces a maximum penalty of five years in federal prison for the charge.

According to the plea agreement, on August 10, 2001, Wahba was convicted of one count of violating the Florida Racketeering Influenced and Corrupt Organization Act (RICO), one count of Medicaid Provider Fraud, one count of Grand Theft (Second Degree), and one count of Grand Theft (Third Degree), in the Circuit Court of the Sixth Judicial Circuit. These felony criminal convictions arose out of Wahba's operation of Clover Pharmacy, located in Palm Harbor.

On July 31, 2002, Wahba received notice that he was excluded for a period of 15 years from participating in any and all other federal health care programs, including Medicare and Medicaid. This exclusion notice also advised Wahba that he could not collect any payments from any federal health care programs during the period of exclusion.

After being excluded from participation in all federal health care programs, Wahba went about devising a scheme to form a new pharmacy. The new pharmacy, called St. George Pharmacy, was secretly owned and controlled by him. Wahba knew that he could only bill Medicaid, Medicare, TRICARE, and other federal health care programs, if his ownership and control of St. George Pharmacy was covert. This aspect of the scheme required Wahba to enlist the assistance of individuals to pretend, at various times, to be the owners and operators of St. George Pharmacy. The main objective in creating the fictional ("nominee") owners was to enable St. George Pharmacy to bill federal health care programs notwithstanding Wahba's exclusion from participation in these programs.

During the time frame of the conspiracy, Wahba recruited three individuals to serve as nominee owners of St. George Pharmacy. Wahba paid these nominee owners a one-time fee or compensation.

During the conspiracy, St. George Pharmacy submitted millions of dollars in claims for reimbursement to Medicaid, Medicare, and TRICARE for prescription drug services. In total, St. George Pharmacy fraudulently received \$5,281,931.00 in reimbursement payments from federal healthcare programs.

This case was investigated by the Department of Health and Human Services, Office of Inspector General; the Defense Criminal Investigative Service; and the Federal Bureau of Investigation. It is being prosecuted by Assistant United States Attorney Simon Gaugush.