



United States Attorney's Office

Northern District of Florida

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DESTIN PHYSICIAN SENTENCED TO LIFE IMPRISONMENT FOR ILLEGAL DISTRIBUTION OF CONTROLLED SUBSTANCES

PENSACOLA, FLORIDA - Thomas F. Kirwin, United States Attorney for the Northern District of Florida announced today that Destin physician David Willis Webb (68) was sentenced to life imprisonment for distribution of and conspiracy to distribute controlled substances resulting in death.

At the conclusion of a two week jury trial in September of last year before Senior United States District Judge Lacey Collier, Webb was convicted of 36 counts of health care fraud, 90 counts of illegal distribution of controlled substances, 2 counts of conspiracy to commit those offenses, and 2 counts of identity theft. The jury also determined that Webb was responsible for the deaths of three of his patients that resulted from his commission of health care fraud, conspiracy, and distribution of controlled substances.

The evidence at trial showed that between 2002 and 2007, Dr. Webb, the owner operator of Destin Primary Care Clinic and Doctors on Call, prescribed controlled narcotics, sedatives, and stimulants in quantities and dosages that caused patients to abuse, misuse, and become addicted to these drugs. The substances the defendant frequently prescribed included oxycodone, hydrocodone, fentanyl, alprazolam, triazolam, and dextroamphetamine, better known by their brand names, Oxycontin, Percocet, Lorcet, Vicodin, Lortab, Duragesic, Xanax, Halcion, and Adderall. Even after his patients suffered overdoses or were admitted to drug rehabilitation programs to recover from their addictions, the defendant continued to prescribe these patients the same drugs they had been addicted to. Between 2003 and 2005, two of the defendant's patients died of overdoses of the drugs he had been prescribing. Evidence introduced at trial indicated that one of these patients had been injecting drugs intravenously during the period that she was the defendant's patient and had two separate surgeries to replace heart valves damaged as a result of heart infections she suffered from intravenous drug use. Although the defendant was aware of the heart infections and surgeries, he made no effort to obtain medical records pertaining to the patient's heart condition and continued to prescribe the patient oxycodone. A third patient committed suicide by taking fatal doses of prescription drugs from the defendant along with other drugs and alcohol.

The evidence showed that the defendant failed to monitor his patients' use of drugs even after he had been alerted that the patients were abusing drugs. The defendant also failed to document the patients' files with sufficient medical justification for prescribing the drugs. In the case of more than one hundred of the patients to whom the defendant prescribed controlled substances, agents were able to find no evidence that the defendant kept any patient file at all.

For a thirty-day period between April and May 2005, the defendant was suspended from the

practice of medicine for misconduct arising from his prescribing of controlled substances over the internet to patients he had never seen. During his thirty-day suspension, the defendant continued to see patients and prescribe them controlled substances even though he was prohibited by the Department of Health from doing so. When pharmacists became aware of the defendant's suspension and refused to honor his prescriptions, the defendant used, without consent, the DEA number of another physician to continue to prescribe controlled substances to his patients. In the summer of 2005, this other physician filed a complaint advising the Board of Health that the defendant had fraudulently used her DEA registration number to prescribe drugs while he was suspended from practice.

During the pendency of the Board of Health complaint, and even after law enforcement served a search warrant on his home and office, the defendant continued to prescribe controlled substances to his patients without a legitimate medical purpose. In April 2007, another of the defendant's patients died of an overdose of hydrocodone that the defendant had prescribed shortly before the patient's death.

In addition to the life sentence, the defendant was ordered to serve concurrent sentences ranging from 3 to 20 years on the remaining counts of the indictment. He was also ordered to pay more than \$27,000 in restitution to the health care benefit organizations he defrauded and to the family members of patients who died as a result of his criminal conduct.

In praising the sentence, Mr. Kirwin stated, "There were 4199 drug-related deaths reported in Florida during the first six months of 2009. The two drugs that caused the most deaths during this period were the same drugs that Dr. Webb prescribed: oxycodone and benzodiazepines. Of the 470 deaths statewide attributed to benzodiazepines between January and June of last year, 348 were caused by alprazolam. Prescription drug abuse is a nationwide epidemic and this Office will continue to vigorously investigate and prosecute those physicians who operate outside the usual course of medical practice to enrich themselves by exploiting their patients' addictions."

Mr. Kirwin commended the dedication and tenacity of the North Florida Health Care Fraud Task Force, the Federal Bureau of Investigation, the Drug Enforcement Administration, the National Drug Intelligence Center, the Defense Criminal Investigative Service, the Florida Department of Law Enforcement, the Florida Department of Financial Services, the Florida Attorney General's Medicaid Fraud Control Unit, the Florida Department of Health, the Okaloosa County Sheriff's Office, and the Walton County Sheriff's office, whose joint investigation led to today's conviction. Mr. Kirwin also praised the many pharmacies in Okaloosa and Walton Counties, whose assistance and cooperation made this investigation possible. The case was prosecuted by Assistant United States Attorney Karen Rhew-Miller.