

**Office of the Special Narcotics Prosecutor
for the City of New York**

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Manager of Broadway Pharmacy arrested in Harlem: Made backdoor buys of narcotic pain relievers and prescriptions in health care fraud scheme

BRIDGET G. BRENNAN, New York City's Special Narcotics Prosecutor, New York City Police Commissioner RAYMOND W. KELLY, New York City Human Resources Administration Commissioner ROBERT DOAR and Medicaid Inspector General JAMES C. COX announced today the arrest of ANTONIO TAVAREZ, the manager of Broadway Pharmacy at 3340 Broadway in Harlem.

TAVAREZ is set to be arraigned today in Manhattan Criminal Court on charges of Criminal Possession of a Controlled Substance, Grand Larceny, Health Care Fraud, Criminal Diversion of Prescription Medication and Falsifying Business Records. Police arrested TAVAREZ yesterday afternoon after he purchased 360 pills of Percocet, an opioid painkiller, from an undercover officer in exchange for \$100, with a promise of paying additional money at a later date.

Detectives from the NYPD's Manhattan North Narcotics and investigators from the Bureau of Fraud Investigation, Human Resource Administration (HRA), and the Office of the Medicaid Inspector General's Office (OMIG) executed a court authorized search warrant at the pharmacy and seized records, prescriptions, computer equipment, prescription medication and other evidence.

During the seven-month investigation, TAVAREZ bought seven prescriptions for HIV/AIDS medication – Prezista, ISENTRESS and NORVIR – and drugs used for treating herpes and heartburn. The majority of these prescriptions carried three refills.

The undercover told TAVAREZ that the prescriptions came from a relative who worked at a physician's office and who had stolen a prescription pad. TAVAREZ paid between \$50 and \$75 for each prescription, for a total of \$475. TAVAREZ did not dispense any medication to the undercover during these transactions, which took place inside the pharmacy.

During each sale, the undercover officer supplied TAVAREZ with a Medicaid benefits card. TAVAREZ then billed Medicaid as if he had filled the prescriptions for a customer. In total, TAVAREZ billed Medicaid over \$5,900 in connection with prescriptions he had illegally purchased from the undercover.

In connection with an eighth prescription, this time for Atripla (another HIV medication), TAVAREZ told the undercover officer the pharmacist would not fill it. He instructed the undercover to fill the prescription at a different pharmacy and bring back the pills.

Today, in a final sale, TAVAREZ purchased 360 Percocet pills from the undercover. The transaction took place in a restaurant next door to the pharmacy. TAVAREZ paid \$100 in cash and promised to pay the undercover additional money at a later date. A team of detectives followed TAVAREZ as he exited the restaurant and arrested him moments later.

TAVAREZ had worked at pharmacies for at least six years. OMIG investigators are conducting an analysis of the records and an inventory review to determine the extent of the fraud.

Special Narcotics Prosecutor BRIDGET G. BRENNAN thanked members of the SNP's Prescription Drug Investigation Unit, the NYPD's Manhattan North Narcotics, HRA's Bureau of Fraud Investigation, OMIG and the New York County District Attorney's Office for their work on this case.

DEFENDANT	CHARGES
Antonio Tavarez 06/08/1977 12 Edgar Street, Haverstraw, NY	CPCS 1 st – 1 ct Grand Larceny 3 rd – 1 ct Health Care Fraud 4 th – 1 ct Criminal Diversion of Prescription Medication 4 th – 7 cts Falsifying Business Records – 9 cts

The charges and allegations are merely accusations and the defendants are presumed innocent until proven guilty.