



U.S. Department of Justice

United States Attorney

District of Nevada

Gregory A. Brower
United States Attorney

333 Las Vegas Blvd. South
Suite 5000
Las Vegas, NV 89101

(702) 388-6336
FAX (702) 388-6296

NEWS RELEASE
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PRESS CONTACTS:
Natalie Collins, Public Affairs Specialist

LAS VEGAS PAIN MANAGEMENT CENTER AGREES TO PAY U.S. DEPARTMENT OF JUSTICE \$167,000 TO RESOLVE MEDICARE FRAUD ALLEGATIONS

LAS VEGAS - - A Las Vegas pain management center and five of its health care professionals have entered into a settlement agreement with the U.S. Department of Justice to resolve civil allegations of health care fraud to the Medicare system, announced Greg Brower, United States Attorney for the District of Nevada.

The settlement agreement, effective August 19, 2009, states that Advanced Spine and Pain Management Center, anesthesiologist Robert Odell, M.D., chiropractors Roger Russell, D.C. and David Ketchum, D.C., and physicians assistants Douglas Turner, P.A. and Steven Olenchak, P.A., all of Las Vegas, agree to pay \$167,095.94 to resolve allegations by the United States that they submitted claims to Medicare for procedures that were not considered covered benefits under Medicare policies. The settlement agreement states that it is neither an admission of liability by the health care providers nor a concession by the United States that its claims are not well founded.

The settlement agreement arose out of a civil complaint filed in U.S. District Court on June 8, 2009, against Dr. Odell. That complaint alleged that from January 1, 2000, through the present, the pain management center and the other settling parties presented false or fraudulent claims for reimbursement to Medicare for a procedure known as Vertebral Axial Decompression (VAX-D), which was being provided by Dr. Odell and some of the other providers to their patients as a purported treatment for back pain. The U.S. Department of Health and Human Services, which administers the Medicare program, had determined that the VAX-D procedure was not medically reasonable and necessary under any circumstances, and was not a covered Medicare benefit. The complaint alleged that Odell used codes for other services covered by Medicare in order to disguise the fact that he and others were providing non-covered services. Based on these false or fraudulent certifications, the United States paid reimbursements to Dr. Odell and the center which would not have been paid had they provided truthful information.

Assistant United States Attorney Roger Wenhe handled the case on behalf of the U.S. Attorney's Office. The case was investigated by the Office of the Inspector General of the Department of Health and Human Services.