



Office of the Special Narcotics Prosecutor For the City of New York  
Bridget G. Brennan, Special Narcotics Prosecutor

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## Dr. Rogelio Lucas and Wife Lydia Lucas Sentenced to Prison for Operating Upper West Side Pill Mill

### *30 Counts of Conspiracy and Criminal Sale of Prescriptions for Controlled Substances*

Bridget G. Brennan, New York City's Special Narcotics Prosecutor, announced today the sentencing of Dr. ROGELIO LUCAS and his wife and office manager LYDIA LUCAS to prison terms for engaging in a conspiracy to sell prescriptions for the addictive opioid painkiller oxycodone for no legitimate medical purpose from an Upper West Side medical practice. As a result of the defendants' criminal activity, approximately 3.2 million pills of oxycodone with a street value of nearly \$80 million flooded the streets of New York City.

Manhattan Supreme Court Justice Kirke Bartley sentenced ROGELIO LUCAS, 80, to 1 ½ to 4 years in prison on one count of Conspiracy in the Fourth Degree and 1 ½ years in prison on each of 29 counts of Criminal Sale of a Prescription for a Controlled Substance, all to run concurrently. LYDIA LUCAS, 82, was sentenced to 1 to 3 years in prison for Conspiracy in the Fourth Degree and 1 year in prison on each of 29 counts of Criminal Sale of a Prescription for a Controlled Substance, all to run concurrently. The LUCASES, who were remanded, are also required to serve one year of post release supervision. A civil asset forfeiture proceeding will follow. ROGELIO LUCAS surrendered his medical license in April of 2016 while criminal charges were pending.

A four-week trial concluded with a Manhattan jury's guilty verdict on 30 counts on May 4, 2018 and involved testimony from 17 witnesses and over 350 exhibits. As the evidence showed, prior to 2009 the LUCASES offered legitimate medical services through a primary care practice and accepted insurance. Between Jan. 2, 2009 and May 13, 2015, the practice underwent a radical transformation into a pill mill that churned out thousands of illegitimate prescriptions for oxycodone in exchange for illegal cash payments. The practice relocated three times, with the final location at 215 West 101<sup>st</sup> St., Suite 1A.

"The sentence handed down by the Court today is a reflection of the serious consequences that practitioners who abandon their oaths to 'do no harm' should expect to face. Rather than serving the communities whose trust they had gained, Rogelio Lucas and Lydia Lucas chose instead to abuse that trust and profit off of the opioid crisis ravaging our country," said Special Narcotics Prosecutor Bridget G. Brennan. "Others who would be tempted to do the same will now think twice before putting their patients and neighbors at risk in order to satisfy their greed."

ROGELIO and LYDIA LUCAS were arrested on June 9, 2015, at which time agents and investigators conducted court-authorized searches of their medical office and their two primary residences, an apartment in Manhattan at 215 West 95<sup>th</sup> Street and a house at 15 Black Birch Lane in Scarsdale, N.Y. Illustrative of the lucrative nature of their scheme, nearly \$625,000 in cash was recovered from the Scarsdale residence.

Licensed to practice internal medicine in New York State in 1972, ROGELIO LUCAS worked at several hospitals during his career and held various teaching positions in addition to operating his own medical practice. He also served in the Medical Department of the U.S. Army Reserves from 1984 to 1998 and retired with the rank of colonel. LYDIA LUCAS, a former physician, managed her husband's Upper West Side medical practice.

A court authorized review of ROGELIO LUCAS's prescribing history revealed he wrote oxycodone prescriptions for approximately 45 to 50 individuals per day at the height of the conspiracy. The proportion of patients paying in cash increased. By 2014, a staggering 93% of patients paid the defendants in cash. A sign posted in the office instructed patients that while the office would accept insurance, such as Medicaid and Medicare, those who chose to pay in this manner would be restricted from receiving oxycodone.

ROGELIO LUCAS conducted only the most cursory medical examinations of patients. Magnetic resonance imaging (MRI) reports found in the office's files contained obvious indications of forgery, including spelling errors. ROGELIO LUCAS overlooked clear indications that patients were not themselves taking the medication, including ignoring the results of medical tests performed on patients that came back negative for oxycodone.

As proven at trial, street-level drug dealers, known as "crew chiefs," established a presence at the medical office and sent individuals posing as patients to obtain prescriptions for oxycodone from ROGELIO LUCAS, who handed out prescriptions to nearly every person who set foot in his examination room. Crowds gathered in the waiting room, prompting complaints by members of the community.

LYDIA LUCAS, who formerly practiced medicine, served as the gatekeeper for the office and maintained numbered lists of patients and amounts paid per day. Generally, patients who received oxycodone prescriptions were charged \$120 cash for each office visit, while those few who did not receive oxycodone prescriptions were charged \$80. Evidence further revealed that the LUCASES brought in hundreds of thousands of dollars per year and dispensed prescriptions for millions of tablets of oxycodone. Corporate tax documents suggested the LUCASES concealed and failed to report approximately \$500,000 in the year 2013 alone.

The evidence presented at trial demonstrated that the defendants were cognizant of the possibility of law enforcement intervening in their practice. LYDIA LUCAS reviewed patient files with an eye towards maintaining the appearance of a legitimate practice. A sign prominently posted inside of the examination room emphasized to patients the office's policy of checking the validity of MRI reports and referencing the fact that they have discovered several files with "questionable findings." The notice further stated they review the patient files "to avoid future problems with the narcotic department."

Photographs in evidence depicted boxes of cash recovered from a bedroom in the LUCASES' Scarsdale home, along with handwritten notations by LYDIA LUCAS indicating the precise amount of money in each box. The notes also bore dates upon which money was deposited into the boxes, including dates in the latter part of the conspiracy when a marked increase of prescriptions for oxycodone was flowing from the medical practices.

Special Narcotics Prosecutor Bridget G. Brennan commended members of her office's Prescription Drug Investigation Unit (PDIU) for their work on the investigation and prosecution. Assistant District Attorney Brian Rodriguez and Assistant District Attorney Jeffrey Linehan, Chief of PDIU, represented

the prosecution at the trial. Investigative Analysts Jonathan Courtney and Mariella Chilmaza and Forensic Analyst Jeremy Horowitz assisted with the prosecution.

The investigation was conducted by the Special Narcotics Prosecutor's Prescription Drug Investigation Unit (PDIU), the U.S. Drug Enforcement Administration's (DEA) New York Division Tactical Diversion Squad (Group TDS-NY), the New York City Police Department (NYPD), the New York City Human Resources Administration (HRA), Department of Social Services, the New York State Health Department's Bureau of Narcotic Enforcement, the Nassau County Police Department and the U.S. Department of Health and Human Services (HHS). Group TDS-NY is comprised of agents and officers from the DEA, the NYPD, the Town of Orangetown Police Department and the Westchester County Police Department.

<b>Convicted</b>	<b>Charges</b>	<b>Sentence</b>
Rogelio Lucas Scarsdale, NY 3/23/1938	Conspiracy 4 <sup>th</sup> – 1 ct Criminal Sale of a Prescription for a Controlled Substance – 29 cts	1 ⅓ to 4 years in prison 1 ½ years in prison
Lydia Lucas Scarsdale, NY 10/20/1935	Conspiracy 4 <sup>th</sup> – 1 ct Criminal Sale of a Prescription for a Controlled Substance – 29 cts	1 to 3 years in prison 1 year in prison