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# Peddling prescriptions like candy

**The story of a Duarte doctor makes it clear a lot can go wrong between the handcuffs and the prison time.**

By Sandy Banks, Los Angeles Times

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We're getting tough on drug dealers in Los Angeles these days, sweeping crack sellers off skid row streets shutting down marijuana [dispensaries](#) prosecuting doctors who peddle prescriptions like candy to patient [addicts](#).

But the story of Dr. Daniel Healy makes it clear that a lot can go wrong between the handcuffs and the prison time.

Healy, according to prosecutors, is a most prolific drug dealer. In 2008 alone, he illegally distributed enough prescription drugs to constitute the federal government's equivalent of more than 50 kilos of cocaine or 37,000 pounds of marijuana.

The Duarte physician ordered more Vicodin than any doctor in the nation – 1 million pills in 2008. That's 10 times the stockpile of an average pharmacy; more than his local CVS, Wal-Mart, Target and City of Hope pharmacies combined.

According to federal legal briefs, Healy made so many over-the-counter sales from his "Kind Care" medical clinic, the office had its own money-counting machine and Healy pocketed "\$3,000 to \$6,000 a day."

On the day he was arrested, police pulled over a "patient" he had just treated carrying 12 commercial-size bottles of Vicodin and three containers of Xanax – 7,500 pills he paid the good doctor \$5,000 for.

Those accounts are from legal filings and stories by Times reporter Scott Glover. There was no trial; Healy pleaded guilty to dispensing hydrocodone without a legitimate medical purpose.

Under federal sentencing guidelines, the amount of drugs he dealt would translate to a prison term of at least 17 years.

But Healy was sentenced last week to just 48 months in federal prison – four years – [instead](#).

That's two years less than a Carson dispensary owner received last month for retail sales of marijuana.

Healy got a break, I suspect, because his weapon was a prescription pad and not a gun.

Before sentencing him, U.S. District Judge Manuel L. Real noted that Healy is "not the ordinary everyday drug merchant we see in this court."

Meaning, I guess, not a ghetto street dealer with a wad of cash and pocketful of crack cocaine.

That guy would have received a mandatory five years in prison for selling as little as five grams of crack.

Healy's lawyer argued that a lengthy term in jail was "not necessary to deter Dr. Healy from engaging in future criminal conduct, or to protect the public from his future criminal acts."

Attorney Roger Rosen called his client a "gifted healer who provided quality medical care" to a working-class community with few options for affordable care.

The prosecutors, drawing an investigation by Monrovia police and the Drug Enforcement Administration, painted a far different picture.

Healy operated in two ways: "writing prescriptions for his customers to fill, or more commonly by selling [pills] directly from his clinic to any customers who could pay." Those customers often dealt the medication on the streets and came quickly back for more, legal papers said.

Healy's dealings became so blatant, local pharmacists refused to fill prescriptions he wrote for his patients' prescriptions because they came in so often, involved large quantities of controlled substances and patients tended to in cash for the drugs.

Investigators matching his inventory against his pharmacy orders and prescription records couldn't account for 890,296 of the pills he ordered the year before he was arrested, court papers said.

Healy's "Kind Care" clinic was little more than a "narcotics mill" that netted him almost \$700,000 in one year: "a cash-and-carry narcotics store under the guise of providing legitimate medical treatment."

The prosecutor in the case stopped short of saying he's disappointed when I interviewed him Monday.

"Forty-eight months is a significant sentence, by any measure," said Assistant U.S. Atty. David Herzog. The felony conviction means Healy will lose his medical license. "The end result is that this defendant is no longer able to distribute narcotics into the community and never will again."

But 48 months is considerably less than the 210-month minimum term the probation report recommended.

It's less, even, than the 57 months Healy's lawyer suggested would be fair.

That's a blow to DEA efforts to crack down on abuse of prescription drugs, which is rising particularly among teens and young adults.

Nearly 7 million Americans are abusing pharmaceutical drugs – up from 3.8 million 10 years ago, and more than the number addicted to cocaine, heroin and hallucinogens. Opioid painkillers – the kind Healy dispensed -- cause more drug overdose deaths than cocaine and heroin combined.

Blatant drug-dealing by doctors is rare. More common is doctor-shopping by patients, thefts from pharmacies, trading meds by addicts and illicit street sales by drug dealers.

That's why Healy's sentence is so disappointing.

Here's a chance to send a message to "well-meaning" doctors like Healy who might be tempted by easy money and to suffering patients who might not realize that the mild-mannered guy with the stethoscope might have more than their well-being in mind.