

APR 10 2023

COMMONWEALTH OF KENTUCKY  
BOARD OF MEDICAL LICENSURE  
CASE NO. 1990

KBML

IN RE: THE LICENSE TO PRACTICE MEDICINE IN THE COMMONWEALTH OF KENTUCKY HELD BY WILLIAM LAWRENCE GREGORY SIEFERT, M.D., LICENSE NO. 46903, 6890 VIENNA WOODS TRAIL, DAYTON, OHIO 45459

**AMENDED COMPLAINT**

Comes now the Complainant, Dale E. Toney, M.D., Chair of the Kentucky Board of Medical Licensure's Inquiry Panel B, and on behalf of the Panel which met on March 18, 2021, states for its Amended Complaint against the licensee, WILLIAM LAWRENCE GREGORY SIEFERT, M.D., as follows:

1. At all relevant times, William Lawrence Gregory Siefert, M.D., was licensed by the Board to practice medicine within the Commonwealth of Kentucky.
2. The licensee's medical specialty is pain management.
3. The licensee practices within the Commonwealth of Kentucky, including at the following locations: 836A US 31 Bypass, Bowling Green, KY 42101; 208 Legends Lane, Suite 130, Lexington, KY; and 200 Clint Hill Blvd., Paducah, KY 42011.
4. On or about May 13, 2019, the licensee entered into an Agreed Order, KBML Case No. 1908, which is incorporated herein in its entirety by reference.
5. On or about February 24, 2021, the licensee was indicted on one (1) count of conspiracy to distribute a controlled substance (being Schedule II controlled substances, including hydrocodone and oxycodone, and Schedule IV controlled substances, including clonazepam) in violation of 21 U.S.C. § 846; eleven (11) counts of distribution of a controlled substance in violation of 21 U.S.C. § 841(a)(1); one (1) count of conspiracy to commit health care fraud in violation of

18 U.S.C. § 1349; and eight (8) counts of health care fraud in violation of 18 U.S.C. § 1347.

6. According to the indictment,

- The licensee provided purported pain management services by, among other methods, prescribing controlled substances and ignored information and indications of aberrant behavior by patients, continuing to prescribe controlled substances to those patients;
- At least six (6) patients died of opioid overdoses shortly after receiving prescriptions written by the licensee under circumstances in which the licensee's prescribing of controlled substances contributed to the patients' overdose deaths and in some cases after the patients had engaged in aberrant behavior;
- The licensee ordered and directed others to submit false and fraudulent claims to Medicaid and other health care benefit programs, representing that these tests were medically necessary, when in reality, there was no medical necessity for those tests; and
- The licensee's conduct was in part driven by his desire and intent to maximize lucrative reimbursements from Medicaid and other health care benefit programs.

7. In or around March 2021, Inquiry Panel B issued a Complaint and an Emergency Order of Restriction against the licensee's license to practice medicine in the Commonwealth of Kentucky and authorized for their amendment as the criminal proceedings progressed.

8. In or around May 2022, a Superseding Indictment was returned against the licensee.

9. In or around March 2023, a jury trial was held and the licensee was acquitted of most of the charges, except that he was found guilty of health care fraud in violation of 18 U.S.C. § 1347, in that

Beginning at least in or around January 2017, and continuing through at least in or around February 2019, in Boone and Campbell Counties, in the Eastern District of Kentucky, and elsewhere, [the licensee] did knowingly and willfully execute, and attempt to execute, a continuing

scheme or artifice to defraud a health care benefit program affecting commerce, as defined in 18 U.S.C. § 24(b), that is, Medicaid, Medicare, and other health care benefit programs, and obtain, by means of materially false and fraudulent pretenses, representations, and promises, and omission and concealment of material facts, money and property owned by, and under the custody and control of, said health care benefit programs, in connection with the delivery of and payment for health care benefits, items, and services.

The scheme to defraud was described in Paragraphs 38-44 of the Superseding Indictment as follows:

- The dangerous prescribing of controlled substances, including opioids, was in part driven by the licensee's desire and intent to bill for UDT on patients, tests which were lucratively reimbursed by Medicaid, Medicare, and other health care benefit programs.
- To that end, the licensee directed NKYCPR employees to obtain specimens from patients during office visits.
- The licensee directed employees of NKYCPR to perform both presumptive and definitive testing on the provided specimens, irrespective of any identified individualized need, and concealed the existence of this blanket order from Medicare, Medicaid, and other health care benefit programs.
- At the licensee's order and direction, NKYCPR employees submitted false and fraudulent claims to health care benefit programs for presumptive and definitive testing, representing that these tests were medically necessary for the diagnosis and treatment of patients, when, in reality, there was no medical necessity for these tests and these tests were performed for the purpose of maximizing subsequent reimbursements from Medicare, Medicaid, and other health care benefit programs.
- At the licensee's order and direction, NKYCPR employees submitted false and fraudulent claims to health care benefit programs for UDT, the results of which the licensee ignored - including for patients who overdosed and died after UDT performed by NKYCPR revealed that the patient had engaged in aberrant behavior.
- The licensee caused the submission of bills for definitive UDT at a higher level of complexity-generally a test billed under HCPCS Code G0482 or G0483 than was medically necessary.

- The licensee caused the submission of bills for definitive UDT that was not in fact reviewed or used in the treatment of patients.

10. By his conduct, the licensee has violated the provisions of KRS 311.595(4) and (9), as illustrated by KRS 311.597(4), and KRS 311.595(10). Accordingly, legal grounds exist for disciplinary action against his Kentucky medical license.

11. The licensee is directed to respond to the allegations delineated in the Amended Complaint within thirty (30) days of service thereof and is further given notice that:

- (a) His failure to respond may be taken as an admission of the charges;
- (b) He may appear alone or with counsel, may cross-examine all prosecution witnesses and offer evidence in his defense.

12. NOTICE IS HEREBY GIVEN that a hearing on this Amended Complaint is scheduled for December 1, 2023, at 9:00 a.m., Eastern Standard Time, at the Kentucky Board of Medical Licensure, Hurstbourne Office Park, 310 Whittington Parkway, Suite 1B, Louisville, Kentucky 40222. Said hearing shall be held pursuant to the Rules and Regulations of the Kentucky Board of Medical Licensure and pursuant to KRS Chapter 13B. This hearing shall proceed as scheduled and the hearing date shall only be modified by leave of the Hearing Officer upon a showing of good cause.

WHEREFORE, Complainant prays that appropriate disciplinary action be taken against the license to practice medicine held by WILLIAM LAWRENCE GREGORY SIEFERT, M.D.

This 10<sup>th</sup> day of April, 2023.

  
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DALE E. TONEY, M.D.  
CHAIR, INQUIRY PANEL B

**CERTIFICATE OF SERVICE**

I certify that the original of this Amended Complaint was delivered to Mr. Michael S. Rodman, Executive Director, Kentucky Board of Medical Licensure, 310 Whittington Parkway, Suite 1B, Louisville, Kentucky 40222; a copy was mailed to Keith Hardison, Esq., 2616 Bardstown Road, Louisville, Kentucky 40205 and copies were mailed via certified mail return-receipt requested to the licensee, William Lawrence Gregory Siefert, M.D., at his mailing address of record, 6890 Vienna Woods Trail, Dayton, Ohio 45459, and to his counsel, L. Chad Elder, Esq., Elder & Good, PLLC, 159 St. Matthews Avenue, Suite 1, Louisville, Kentucky 40207 and Aaron A. Vanderlaan, Esq., Arnzen, Storm & Turner, PSC, 600 Greenup Street, Covington, Kentucky 41011, on this 10<sup>th</sup> day of April, 2023.



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