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Doctor, business manager charged in bootleg drug scheme

By [Jamie Satterfield](#)

Posted November 29, 2012 at 8:04 p.m.

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A Johnson City doctor and his business manager are confessing they bought \$2 million in bootleg cancer drugs that were administered to unsuspecting patients.

Dr. William Ralph Kincaid and Michael Dean Combs have struck plea deals with the U.S. attorney's office on charges of receiving misbranded and unapproved drugs, according to documents filed by Assistant U.S. Attorney Neil Smith in U.S. District Court in Greeneville.

The pair agreed to skip a grand jury review, signaling they are cooperating with federal authorities in an ongoing probe. Combs was the first to flip on his alleged conspirators, pleading guilty in September. Kincaid is set to plead guilty Wednesday.

Kincaid was president and majority owner of the McLeod Cancer and Blood Center in Johnson City. Combs was business manager. Two other doctors are named in the plea agreements as part owners — Dr. Millard Ray Lamb and Dr. Charles O. Famoyin — and both are alleged to have been initially involved in the decision to order drugs shipped in from as far away as Turkey. However, neither is charged, according to a search of federal court records.

According to the plea agreements, Lamb received a flier from a Canadian drug distributor in September 2007 that promised various cancer drugs, including those used in chemotherapy treatments, at prices far cheaper than medicines either manufactured in the United States and, therefore, subject to the Food and Drug Administration's scrutiny, or sold in the U.S. by FDA-approved foreign drugmakers.

Kincaid, Lamb and Famoyin agreed to have Combs begin ordering what the plea agreement calls "misbranded unapproved" drugs from the Canadian firm, court records alleged.

The drugs were "from foreign sources that were not inspected and approved by the



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FDA, to include drugs which had been distributed in Turkey, India, the European Union and elsewhere," Smith wrote in the plea agreement.

The doctors billed Medicare and other federally funded health insurance programs at the higher price-levels charged by drugmakers approved by the FDA, pocketing the difference, according to court records.

In late 2007 and early 2008, nurses at the cancer center raised an alarm about the drugs with the trio of doctors and Combs after noticing labels written in foreign languages, so "the decision was made to stop ordering the drugs" from the Canadian supplier, identified as Quality Specialty Products.

But in August 2009, Kincaid and Combs decided to again place drug orders with the Canadian supplier, according to the plea agreements. To keep nurses and the other doctors in the dark, Kincaid had the bootleg medicines shipped to a storage building, Smith wrote. Combs would pick up the drugs and see to it that the medicines were "mingled" with the cancer center's supply of FDA-approved ones, Smith wrote.

According to the plea agreements, the cancer center ordered a total of \$2 million worth of bootleg drugs and billed Medicare and other federal insurance programs \$2.5 million for them.

Related documents

[Plea agreement filed in U.S. District Court in Greeneville for Dr. William R. Kincaid](#)

[Attached is plea agreement filed in U.S. District Court in Greeneville for Michael Dean Combs](#)



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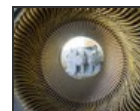
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