

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
SHREVEPORT DIVISION

UNITED STATES OF AMERICA \*  
VERSUS \* 5:20-cr-00289-01  
LARRY CLYDE DANIELS \* Judge Walter  
\* Magistrate Judge Hornsby

**INDICTMENT**

THE GRAND JURY CHARGES:

**Counts 1 – 44**  
**Distribution of Controlled Substances**  
**Outside the Bounds of Professional Medical Practice**  
**[21 U.S.C. § 841(a)(1) & 18 U.S.C. § 2]**

**I. INTRODUCTION**

At all times relevant to this Indictment:

**A. General Background**

1. The Defendant, Larry Clyde Daniels (“**Daniels**”), was a licensed physician in the state of Louisiana. From an exact date unknown to the Grand Jury, but at least by March 15, 1984, and through the present, **Daniels** held himself out to the public as a medical doctor with a specialty of “Family Practice.”

**B. Prescriptions for Controlled Substances**

2. The Controlled Substances Act governed the manufacture, distribution, and dispensing of controlled substances in the United States. Under the Controlled Substances Act, there were five schedules of controlled substances, Schedules I, II,

III, IV, and V. Controlled substances were scheduled into these levels based upon their potential for abuse, among other things.

3. The Attorney General of the United States exercised his rulemaking authority regarding the dispensing of controlled substances through the promulgation of Title 21, Code of Federal Regulations, Section 1306.04, governing the issuance of prescriptions, which provided, among other things, that for a prescription for a controlled substance to be effective, it must be issued for a legitimate medical purpose by an individual practitioner acting in the usual course of his professional practice. Moreover, an order purporting to be a prescription issued not in the usual course of professional treatment was not a prescription within the meaning and intent of section 309 of the Act [21 U.S.C. § 829] and the person knowingly filling such a purported prescription, as well as the person issuing it, was to be subjected to the penalties provided for violations of the law related to controlled substances.

### **C. Medications**

4. Adderall was a brand name for a drug used to improve focus and reduce impulsivity by increasing dopamine and norepinephrine levels in the brain. Adderall contained a mixture of amphetamine and dextroamphetamine. Amphetamine and dextroamphetamine were Schedule II controlled substances.

5. Suboxone was a brand name for a drug used to treat opiate addiction. Suboxone contained a mixture of buprenorphine and naloxone. Buprenorphine was a Schedule III controlled substance.

6. Subutex was a brand name for a drug used to treat opiate addiction. Subutex contained only buprenorphine. Buprenorphine was a Schedule III controlled substances.

7. Klonopin was a brand name of the drug clonazepam. Clonazepam was in the benzodiazepine class of tranquilizers. Klonopin was a Schedule IV controlled substance. Klonopin was typically orally ingested to treat anxiety and seizure disorders by altering certain chemicals in the brain.

#### **D. DATA-Waived Physicians**

8. The Drug Addiction Treatment Act (DATA) permitted qualified physicians to treat a limited number of drug addicts with narcotic controlled substances that had been approved by the Food and Drug Administration (FDA) for that indication. The legislation waived the requirement for obtaining a separate Drug Enforcement Administration (DEA) registration as a Narcotic Treatment Program (NTP) for qualified physicians administering, dispensing, and prescribing these specific FDA approved controlled substances.

9. Physicians registered with the DEA as practitioners who applied and were qualified pursuant to DATA were issued a waiver and were authorized to conduct maintenance and detoxification treatment using specifically approved schedule III, IV, or V narcotic medications. DATA waivers were only granted to qualified physicians. Physicians could initially apply to treat 30 patients and could later apply to treat as many as 275 patients.

## **E. Training for Qualification**

10. In order to become a DATA-waived physician, each doctor had to become qualified. One way to become qualified was to take a course by the U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration (SAMHSA). Another way was to participate in a program that met the requirements specified in the Drug Addiction Treatment Act of 2000 for physicians to become qualified to prescribe and dispense buprenorphine in their offices for the treatment of opioid dependence. The American Academy of Addiction Psychiatry (AAAP) offered such a program.

11. The AAAP training materials provided each DATA-waived physician with an overview of DATA and buprenorphine treatment generally. The training materials listed the side-effects of buprenorphine treatment including nausea, vomiting, constipation, sedation, and liver problems.

12. The AAAP training materials instructed physicians that the first dose of buprenorphine should not exceed 4 milligrams. The physicians must then monitor the patient for up to 2 hours after first dose. If withdrawal symptoms occurred, the physician could give another dose of buprenorphine or other medications to ease withdrawal symptoms. The AAAP training materials stated that no more than 8 milligrams of buprenorphine should be administered on the first day. For patients who are not physically dependent on opioids, the induction dose should not exceed 4 milligrams. The AAAP training materials further provide that patients should then return to the office on the second day for assessment and proper dosing.

13. The materials cautioned against prescribing benzodiazepines (Klonopin) to patients taking buprenorphine due to the risks of dangerous interactions, including death, with the buprenorphine.

14. On or about January 6, 2006, **Daniels** completed the AAAP course for Buprenorphine in the Treatment of Opioid Use Disorder and met the 8-hour requirement for training specified in the Drug Addiction Treatment Act of 2000.

15. In 2007, **Daniels** became a Drug Addiction Treatment Act (“DATA”) waived physician treating addiction patients. **Daniels** was initially authorized to treat 30 substance abuse patients and was later authorized to treat a maximum of 100 substance abuse patients. However, **Daniels** treated well in excess of his maximum limit of 100 substance abuse patients.

## II. OFFENSE

16. On or about the dates listed in the chart below, in the Western District of Louisiana, defendant, **Larry Clyde Daniels**, knowingly and intentionally distributed, and aided and abetted the distribution of a mixture and substance containing a detectable amount of buprenorphine, a Schedule III controlled substance, without a legitimate medical purpose and outside the usual course of professional practice, to the individuals whose initials are listed in the chart below:

COUNT	DATE	PATIENT
1	01/18/2017	S.B.
2	05/10/2017	S.B.
3	06/24/2017	S.B.

4	07/19/2017	S.B.
5	02/01/2017	K.C.
6	04/24/2017	K.C.
7	05/24/2017	K.C.
8	05/24/2017	K.C.
9	06/22/2017	K.C.
10	07/19/2017	K.C.
11	08/3/2016	J.D.
12	03/08/2017	J.D.
13	04/05/2017	J.D.
14	05/03/2017	J.D.
15	06/07/2017	J.D.
16	07/05/2017	J.D.
17	08/02/2017	J.D.
18	08/30/2017	J.D.
19	12/07/2016	P.H.
20	06/02/2017	P.H.
21	06/29/2017	P.H.
22	05/04/2016	C.M.
23	05/17/2017	C.M.
24	06/14/2017	C.M.
25	07/12/2017	C.M.

26	09/05/2017	C.M.
27	05/03/2017	M.N.
28	05/31/2017	M.N.
29	06/28/2017	M.N.
30	07/28/2017	M.N.
31	08/29/2017	M.N.
32	12/14/2016	C.A.
33	05/03/2017	C.A.
34	05/31/2017	C.A.
35	06/29/2017	C.A.
36	07/26/2017	C.A.
37	08/23/2017	C.A.
38	09/13/2017	C.A.
39	01/18/2017	A.K.
40	05/18/2017	A.K.
41	06/20/2017	A.K.
42	07/28/2017	A.K.
43	08/25/2017	A.K.
44	09/13/2017	T.C.

All in violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(E), (b)(2) and Title 18, United States Code, Section 2. [21 U.S.C. §§ 841(a)(1), (b)(1)(E), (b)(2), and 18 U.S.C. § 2].

**Counts 45 - 76**  
**Distribution of Controlled Substances**  
**Outside the Bounds of Professional Medical Practice**  
**[21 U.S.C. § 841(a)(1) & 18 U.S.C. § 2]**

1. The allegations contained in Count 1, Section I, are incorporated by reference as though fully stated herein.

2. On or about the dates listed in the chart below, in the Western District of Louisiana, defendant, **Larry Clyde Daniels**, knowingly and intentionally distributed, and aided and abetted the distribution of a mixture and substance containing a detectable amount of clonazepam, also known as Klonopin, a Schedule IV controlled substance, without a legitimate medical purpose and outside the usual course of professional practice, to the individuals whose initials are listed in the chart below:

COUNT	DATE	PATIENT
45	01/18/2017	S.B.
46	05/10/2017	S.B.
47	06/24/2017	S.B.
48	07/19/2017	S.B.
49	02/01/2017	K.C.
50	04/24/2017	K.C.

51	05/24/2017	K.C.
52	06/22/2017	K.C.
53	07/19/2017	K.C.
54	05/04/2016	C.M.
55	05/17/2017	C.M.
56	06/14/2017	C.M.
57	07/12/2017	C.M.
58	08/09/2017	C.M.
59	09/05/2017	C.M.
60	05/03/2017	M.N.
61	05/31/2017	M.N.
62	06/28/2017	M.N.
63	07/28/2017	M.N.
64	08/29/2017	M.N.
65	12/14/2016	C.A.
66	05/03/2017	C.A.
67	05/31/2017	C.A.
68	06/29/2017	C.A.
69	07/26/2017	C.A.
70	08/23/2017	C.A.
71	09/13/2017	C.A.
72	01/18/2017	A.K.

73	05/18/2017	A.K.
74	06/20/2017	A.K.
75	07/28/2017	A.K.
76	08/25/2017	A.K.

All in violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(E), (b)(2) and Title 18, United States Code, Section 2. [21 U.S.C. §§ 841(a)(1), (b)(1)(E), (b)(2), and 18 U.S.C. § 2].

**Counts 77 - 82**  
**Distribution of Controlled Substances**  
**Outside the Bounds of Professional Medical Practice**  
**[21 U.S.C. § 841(a)(1) & 18 U.S.C. § 2]**

1. The allegations contained in Count 1, Section I, are incorporated by reference as though fully stated herein.

2. On or about the dates listed in the chart below, in the Western District of Louisiana, defendant, **Larry Clyde Daniels**, knowingly and intentionally distributed, and aided and abetted the distribution of, a mixture and substance containing a detectable amount of Adderall, a Schedule II controlled substance, without a legitimate medical purpose and outside the usual course of professional practice, to the individual whose initials are listed in the chart below:

<b>COUNT</b>	<b>DATE</b>	<b>PATIENT</b>
77	05/03/2017	C.A.
78	05/31/2017	C.A.

79	06/29/2017	C.A.
80	07/26/2017	C.A.
81	08/23/2017	C.A.
82	09/13/2017	C.A.

All in violation of Title 21, United States Code, Sections 841(a)(1), (b)(1)(E), (b)(2) and Title 18, United States Code, Section 2. [21 U.S.C. §§ 841(a)(1), (b)(1)(E), (b)(2), and 18 U.S.C. § 2].

### **Forfeiture Notice**

1. The allegations in Counts 1 – 82 are realleged and incorporated by reference for the purpose of alleging forfeiture pursuant to the provisions of Title 21, United States Code, Section 853. [21 U.S.C. § 853].

2. Upon conviction of the controlled substances offenses alleged in Counts 1 – 82 of this indictment, the defendant, **Larry Clyde Daniels**, shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, all of his interest in:

- a. Any property consisting of or derived from proceeds that **Larry Clyde Daniels** obtained directly or indirectly as the result of said violations; and
- b. Any property used or intended to be used in any manner or part to commit or facilitate the commission of the aforementioned violations.

3. The property referred to in paragraph 2 above includes, but is not limited to the following:

- a. **Larry Clyde Daniels'** license to practice medicine in the State of Louisiana.

4. By virtue of the offense charged in this indictment, any and all interests in the above-described property is vested in the United States and is forfeited to the United States pursuant to Title 21, United States Code, Section 853.

All in accordance with Title 21, United States Code, Section 853 and Rule 32.2(a), Federal Rules of Criminal Procedure.

A TRUE BILL:

ALEXANDER C. VAN HOOK  
Acting United States Attorney

**REDACTED**

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GRAND JURY FOREPERSON

By:

**REDACTED**

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