

COPY

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BEFORE THE STATE BOARD OF MEDICINE

Commonwealth of Pennsylvania
Bureau of Professional and
Occupational Affairs

vs.

Spiro Y. Kassis, MD
Respondent

File No.: 18-49-01513

Docket No: 0380 -49-18

PHOTOCOPY
2018 FEB 20 AM 9:19
Department of State

ORDER OF TEMPORARY SUSPENSION AND NOTICE OF HEARING

AND NOW, this 20th day of February, 2018, upon review of the Petition for Temporary Suspension of the license to practice as a physician & surgeon held by Louis Casper Adamo, MD (*hereinafter* "Respondent"), license number MD061655L, filed by the Prosecuting Attorney for the Commonwealth of Pennsylvania, the State Board of Medicine (*hereinafter* "Board") makes the following findings and enters the following Order:

SUSPENSION ORDER

The Board finds the Prosecuting Attorney has alleged facts in the Petition, which, if taken as true, establish at each and every count that the Respondent's continued practice as a physician & surgeon within the Commonwealth of Pennsylvania, along with the exercise of any other licenses, registrations, certificates, approvals, authorizations, or permits (*hereinafter referred to collectively as* "authorizations to practice the profession") issued by the Board, makes Respondent an immediate and clear danger to the public health and safety. Therefore in accordance with Section 40(a) of the Medical Practice Act, Act of December 20, 1985, P.L. 457, No. 112, ("Act"), 63 P.S. § 422.40(a), the Board **ORDERS** that the license to practice as a physician & surgeon issued to the Respondent, license number MD061655L, along with any other authorizations to practice the profession issued by the Board to Respondent, are **TEMPORARILY SUSPENDED**

upon the service of this Order. Respondent shall surrender her wall certificate(s), biennial renewal certificate(s) and wallet card(s) (or notarized affidavit of their loss or destruction) to representatives of the Bureau of Enforcement and Investigation or the Bureau of Professional and Occupational Affairs, immediately upon service of this Order in accordance with Section 44 of the Act, 63 P.S. § 422.44.

PRELIMINARY HEARING

A preliminary hearing shall be scheduled and conducted by the Board or Office of Hearing Examiners to be convened within thirty (30) days from the date of issuance of this Order. The preliminary hearing shall be limited to evidence on the issue of whether there is a *prima facie* case to support the temporary suspension of the Respondent's license and other authorizations to practice the profession issued by the Board. The preliminary hearing will be held at a location designated by the Board or a hearing examiner for the Board.

The Respondent is entitled to be present at the preliminary hearing and may be represented by an attorney, cross-examine witnesses, inspect physical evidence, call witnesses, offer evidence and testimony and make a record of the proceedings.

If the Board or hearing examiner finds a *prima facie* case is not established, Respondent's license and other authorizations to practice the profession issued by the Board will be immediately restored. If a *prima facie* case is established, the temporary suspension shall remain in effect until vacated by the Board, but in no event longer than 180 days, unless otherwise ordered or agreed to by the participants.

ADDITIONAL FORMAL ACTION

In addition to this temporary suspension proceeding, the prosecuting attorney will commence a separate action to suspend, revoke or otherwise restrict Respondent's license and

other authorizations to practice the profession issued by the Board through the filing of a charging document, an Order to Show Cause. The Order to Show Cause may include, but not be limited to, the facts which were alleged in the Petition for Immediate Temporary Suspension. Any Order to Show Cause filed by the prosecuting attorney will be served upon the Respondent and the Order will direct Respondent to reply to the charges in a written answer within twenty (20) days of the issuance of the Order to Show Cause. A formal hearing on that Order to Show Cause will then be scheduled and conducted by the Board or the Hearing Examiner for the Board.

PROCEDURES

Continuances will be granted for good cause only. A request for a continuance must be filed with the Prothonotary, in writing, at least one (1) week prior to the date of the hearing. The requirement of the one (1) week advance filing of a request for continuance will be waived only upon a showing of good cause. The failure to have an attorney present and a request for continuance to retain an attorney will not be considered a valid reason for the granting of a continuance on the day of the hearing. **A request by the Respondent for an extension of time or a continuance which will delay the preliminary hearing or the formal hearing must be accompanied by the agreement of the Respondent that the 180-day temporary suspension will continue, but not begin tolling, during whatever additional time is necessary to conclude the proceedings.**

All proceedings are conducted in accordance with the Administrative Agency Law, 2 Pa.C.S. §§ 501-508, 701-704; 63 P.S. §§ 2201-2207; and the General Rules of Administrative Practice and Procedure, 1 Pa. Code §§ 31.1-35.251. A record of the hearing will be

stenographically prepared by an official reporting service. A copy of the transcript may be secured by personally making arrangements with the reporting service at the time of the hearing.

Any document submitted in this matter must be filed with:

Prothonotary
Department of State
2601 North Third Street
P.O. Box 2649
Harrisburg, PA 17105
717-772-2686

Also, you must send a separate copy of any documents submitted in this matter to the prosecuting attorney named below at:

Jason Anderson
Prosecuting Attorney
Commonwealth of Pennsylvania
Department of State
P.O. Box 69521
Harrisburg, PA 17106-9521

**BY ORDER:
BEFORE THE STATE BOARD OF
MEDICINE PROBABLE CAUSE
SCREENING PANEL**

**John M. Mitchell,
L.P., C.C.P.
Committee Member**


**APPROVE Immediate Temporary
Suspension of Spiro Y. Kassis**

**DENY Immediate Temporary
Suspension of Spiro Y. Kassis**

RECUSE FROM DECISION

**Keith E. Loiselle
Committee Member**

**APPROVE Immediate Temporary
Suspension of Spiro Y. Kassis**

**DENY Immediate Temporary
Suspension of Spiro Y. Kassis**

RECUSE FROM DECISION

**Charles A. Castle,
M.D.
Committee Member**

**APPROVE Immediate Temporary
Suspension of Spiro Y. Kassis**

**DENY Immediate Temporary
Suspension of Spiro Y. Kassis**

RECUSE FROM DECISION

Board Counsel:

Wesley J. Rish

For the Commonwealth:

**Jason Anderson
Prosecuting Attorney
Commonwealth of Pennsylvania
Bureau of Professional and Occupational Affairs
P.O. Box 69521
Harrisburg, PA 17106-9521**

Respondent:

**Spiro Y. Kassis, MD
40 West Germantown Pike
Norristown, PA 19401
and
116 Chancery Pl.
Plymouth Meeting, PA 19462**

File No.:

18-49-01513

Date of Issuance:

February 28, 2018

REPORT THE STATE BOARD OF
PROFESSIONAL DISCIPLINES LATER
SOMETIME IN THE FUTURE.

Thomas M. Miller,
D.D., D.C.P.
Committee Member

APPROVE Immediate Temporary
Suspension of Spiro Y. Kassir

DENY Immediate Temporary
Suspension of Spiro Y. Kassir

RECUSE FROM DECISION

Keith E. Lantz

Walter R. Darrach
Committee Member

APPROVE Immediate Temporary
Suspension of Spiro Y. Kassir

DENY Immediate Temporary
Suspension of Spiro Y. Kassir

RECUSE FROM DECISION

Charles A. Casale,
M.D.
Committee Member

APPROVE Immediate Temporary
Suspension of Spiro Y. Kassir

DENY Immediate Temporary
Suspension of Spiro Y. Kassir

RECUSE FROM DECISION

Board Counsel

Wesley J. Risk

For the Commonwealth:

Jason Anderson
Prosecuting Attorney
Commonwealth of Pennsylvania
Bureau of Professional and Occupational Affairs
P.O. Box 59521
Harrisburg, PA 17106-9521

Respondent:

Spiro Y. Kassir, MD
40 West Germantown Pike
Norristown, PA 19401
and
116 Chancery Pl.
Plymouth Meeting, PA 19462

File No.:

18-49-01513

Date of Issuance:

February 21, 2018

**BY ORDER:
BEFORE THE STATE BOARD OF
MEDICINE PROBABLE CAUSE
SCREENING PANEL**

**John M. Mitchell,
L.P., C.C.P.
Committee Member**

APPROVE Immediate Temporary
Suspension of Spiro Y. Kassis

DENY Immediate Temporary
Suspension of Spiro Y. Kassis

RECUSE FROM DECISION

**Keith E. Loiselle
Committee Member**

APPROVE Immediate Temporary
Suspension of Spiro Y. Kassis

DENY Immediate Temporary
Suspension of Spiro Y. Kassis

RECUSE FROM DECISION

**Charles A. Castle,
M.D.
Committee Member**

Charles A. Castle

APPROVE Immediate Temporary
Suspension of Spiro Y. Kassis

DENY Immediate Temporary
Suspension of Spiro Y. Kassis

RECUSE FROM DECISION

Board Counsel:

Wesley J. Rish

For the Commonwealth:

**Jason Anderson
Prosecuting Attorney
Commonwealth of Pennsylvania
Bureau of Professional and Occupational Affairs
P.O. Box 69521
Harrisburg, PA 17106-9521**

Respondent:

**Spiro Y. Kassis, MD
40 West Germantown Pike
Norristown, PA 19401
and
116 Chancery Pl.
Plymouth Meeting, PA 19462**

File No.:

18-49-01513

Date of Issuance:

February 20, 2018

COPY

PROTHONOTARY
2018 FEB 20 AM 9:19
Department of State

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BEFORE THE STATE BOARD OF MEDICINE

Commonwealth of Pennsylvania
Bureau of Professional and
Occupational Affairs

File No.: 18-49-01513

vs.

Spiro Y. Kassis, MD
Respondent

Docket No: 0380 -49-18

PETITION FOR IMMEDIATE TEMPORARY SUSPENSION

AND NOW, the Commonwealth of Pennsylvania, Bureau of Professional and Occupational Affairs, by and through its Prosecuting Attorney, Jason Anderson, petitions the State Board of Medicine (*hereinafter* "Board") for the immediate temporary suspension of the license to practice as a physician and surgeon issued to **Spiro Y. Kassis, MD** (*hereinafter* "Respondent"), along with any other licenses, registrations, certificates, approvals, authorizations, or permits (*hereinafter referred to collectively as* "authorizations to practice the profession") issued by the Board to Respondent at the time this Petition is Granted, pursuant to Section 40(a) of the Medical Practice Act, Act of December 20, 1985, P.L. 457, No. 112, ("Act") as amended, (*hereinafter* "Act"), 63 P.S. § 422.40(a), and in support thereof alleges as follows:

1. Petitioner is a Prosecuting Attorney for the Bureau of Professional and Occupational Affairs, a departmental administrative agency within the Pennsylvania Department of State.
2. At all times relevant and material hereto, Spiro Y. Kassis, M.D., ("Respondent") held a license issued by the State Board of Medicine ("Board") to practice as a medical physician and surgeon in the Commonwealth of Pennsylvania, license number MD061655L.

3. Respondent's license is active through December 31, 2018 and may be renewed, reactivated or reinstated thereafter upon the filing of the appropriate documentation and payment of the necessary fees.

4. Respondent's address on file with the Board is: 40 West Germantown Pike, Norristown, PA 19401. However, based on information contained in the February 14, 2018 Police Criminal Complaint, it is believed that Respondent maintains an address at: 116 Chancery Pl., Plymouth Meeting, PA 19462.

COUNT ONE

5. Paragraphs 1 through 4 are incorporated by reference.

6. On or about February 14, 2018, the Montgomery County Detective Bureau of the Montgomery County District Attorney's Office filed a Police Criminal Complaint in Montgomery County, PA that charged Respondent with: 1) fourteen (14) counts of the Administration or Dispensing of a Controlled Substance by a Practitioner for Other than an Approved Use/Purpose (F), 35 P.S. §780-113(a)(14); 2) fourteen (14) counts of Recklessly Endangering Another Person (M2), 18 Pa. C.S.A. §2705, and 3) three (3) counts of Criminal Use of a Communication Facility (F3), 18 Pa. C.S.A. §7512(a) (MJ-38101-CR-0000040-2018). **See Exhibit A.**

7. Respondent's preliminary hearing is currently scheduled for February 28, 2018 at 9:00 AM before MDJ Marc A. Alfarano, Magisterial District Judge 38-1-01, (MJ-38101-CR-0000040-2018). **See Exhibit A.**

8. Pursuant to the Criminal Complaint and the corresponding Affidavit of Probable Cause, the Montgomery County Detective Bureau Narcotics Enforcement Team (NET) initiated an investigation into the prescribing habits of Respondent following the report of a concerned

citizen that Respondent was in the habit of prescribing narcotic pain killers to Opioid Addicts.

See Exhibit A.

9. The Affidavit of Probable Cause attached to the October 31, 2017 Criminal Complaint alleges the following:

a. During the course of NET's investigation, it utilized two (2) confidential sources to gather information regarding Respondent's prescribing practices.

b. NET utilized a confidential source (CS #5) that had a doctor-patient relationship with Respondent prior to NET's investigation. During the prior doctor-patient relationship, Respondent was treating CS #5 for opioid addiction with buprenorphine for a period of approximately four (4) years, which ended in 2015. In addition, during this four (4) year period, Respondent never performed any medical examination, but continued to prescribe CS #5 buprenorphine every two (2) weeks in exchange for payments of \$200.00. However, when CS #5, as part of NET's investigation, was sent in as a patient of Respondent in 2017, CS #5 presented to Respondent complaining of back/neck related issues, and Respondent treated CS #5 with Oxycodone¹.

c. During the course of NET's investigation, CS #5 participated in eleven (11) controlled buys and/or instances of purchasing of Oxycodone from Respondent, as more clearly detailed below:

(1) CS #5 first presented as a patient to Respondent, as part of NET's investigation, on June 28, 2017. At this

¹ Oxycodone is a narcotic categorized as a Scheduled II controlled substance under the Controlled Substance Act.

visit, CS #5 presented to Respondent complaining of neck related pain, and Respondent was aware of the opioid addiction treatment that he had provided CS #5 in the past. At no time during the visit, did Respondent perform: 1) a physical examination, 2) a diagnostic testing, 3) a urine drug screen, and/or 4) other test utilized to detect diversion. At the conclusion of the visit, Respondent electronically submitted a two (2) week prescription of 60 tablets of Oxycodone 15mg to the pharmacy for CS #5.

(2) CS #5 next presented as a patient to Respondent, as part of NET's investigation, on July 12, 2017. At this visit, Respondent did not perform: 1) a physical examination, 2) a diagnostic testing, 3) a urine drug screen, and/or 4) other test utilized to detect diversion. However, despite Respondent's failure to perform any of the above testing, Respondent electronically submitted a two (2) week prescription of 60 tablets of Oxycodone 15mg to the pharmacy for CS #5.

(3) CS #5 was scheduled to present as a patient to Respondent, as part of NET's investigation, on July 26, 2017; however, CS #5 contacted Respondent's office to inform Respondent that he/she would be unable to make the appointment. Despite CS #5's failure to appear for the

scheduled appointment, Respondent still electronically submitted a two (2) week prescription of 60 tablets of Oxycodone 15mg to the pharmacy for CS #5.

(4) CS #5 was scheduled to present as a patient to Respondent, as part of NET's investigation, on August 4, 2017; however, CS #5 contacted Respondent's office to inform Respondent that he/she would be unable to make the appointment. Despite CS #5's failure to appear for the scheduled appointment, Respondent still electronically submitted a two (2) week prescription of 60 tablets of Oxycodone 15mg to the pharmacy for CS #5.

(5) CS #5 next presented as a patient to Respondent, as part of NET's investigation, on August 18, 2017. At this visit, Respondent did not perform: 1) a physical examination, 2) a diagnostic testing, and/or 3) a urine drug screen. However, despite Respondent's failure to perform any of the above testing, Respondent electronically submitted a two (2) week prescription of 60 tablets of Oxycodone 15mg to the pharmacy for CS #5.

(6) CS #5 was scheduled to present as a patient to Respondent, as part of NET's investigation, on August 30, 2017; however, CS #5 contacted Respondent's office to inform Respondent that he/she would be unable to make

the appointment. Despite CS #5's failure to appear for the scheduled appointment, Respondent still electronically submitted a two (2) week prescription of 60 tablets of Oxycodone 15mg to the pharmacy for CS #5.

(7) CS #5 was scheduled to present as a patient to Respondent, as part of NET's investigation, on September 13, 2017; however, CS #5 contacted Respondent's office to inform Respondent that he/she would be unable to make the appointment. Despite CS #5's failure to appear for the scheduled appointment, Respondent still electronically submitted a two (2) week prescription of 60 tablets of Oxycodone 15mg to the CVS Pharmacy in Pennsburg, PA for CS #5.

(8) CS #5 next presented as a patient to Respondent, as part of NET's investigation, on September 27, 2017. At this visit, Respondent did not perform: 1) a physical examination, 2) a diagnostic testing, and/or 3) a urine drug screen. However, despite Respondent's failure to perform any of the above testing, Respondent increased CS #5's total dosage of Oxycodone to 75 tablets of Oxycodone 15mg and electronically submitted a two (2) week prescription to the pharmacy for CS #5.

(9) CS #5 was scheduled to present as a patient to Respondent, as part of NET's investigation, on October 11, 2017; however, CS #5 contacted Respondent's office to inform Respondent that he/she would be unable to make the appointment. Despite CS #5's failure to appear for the scheduled appointment, Respondent still electronically submitted a two (2) week prescription of 75 tablets of Oxycodone 15mg to the pharmacy for CS #5.

(10) CS #5 was scheduled to present as a patient to Respondent, as part of NET's investigation, on October 25, 2017; however, CS #5 contacted Respondent's office to inform Respondent that he/she would be unable to make the appointment. Despite CS #5's failure to appear for the scheduled appointment, Respondent still electronically submitted a two (2) week prescription of 75 tablets of Oxycodone 15mg to the pharmacy for CS #5.

(11) CS #5 next presented as a patient to Respondent, as part of NET's investigation, on November 8, 2017. At this visit, Respondent did not perform a physical examination and/or a diagnostic testing. However, despite Respondent's failure to perform any of the above testing, Respondent electronically submitted a two (2) week

prescription of 75 tablets of Oxycodone 15mg to the pharmacy for CS #5.

d. NET utilized a confidential source (CS #6) that did not have a doctor-patient relationship with Respondent prior to NET's investigation. When CS #6, as part of NET's investigation, was sent in as a patient of Respondent in 2017, CS #6 presented to Respondent complaining of back/neck related issues, and informed Respondent that he/she had been addicted to opioids for approximately ten (10) years.

e. During the course of NET's investigation, CS #6 participated in three (3) controlled buys and/or instances of purchasing of Oxazepam, Buprenorphine, and Clonidine from Respondent, as more clearly detailed below:

(1) CS #6 first presented as a patient to Respondent on September 8, 2017. At this initial visit, CS #6 presented to Respondent complaining of back related issues, informed Respondent that he/she had been addicted to opioids for approximately ten (10) years, and stated that he/she was having anxiety. In addition, CS #6 offered to provide Respondent with her previous medical records; however, Respondent did not take advantage of this opportunity to obtain CS #6's prior medical history. Further, at no time during the visit, did Respondent perform: 1) a physical examination, 2) a diagnostic testing, 3) a urine drug screen, and/or 4) other test utilized to detect diversion. At the

conclusion of the visit, Respondent electronically submitted a two (2) week prescription for 15 tablets of Oxazepam² 15mg, 30 tablets of Buprenorphine HCL³ 8mg, and 10 tablets of Clonidine HCL⁴ 0.1mg to Weis Market Pharmacy in East Norriton Township, Montgomery County, PA.

(2) CS #6 next presented as a patient to Respondent on September 22, 2017. At this visit, Respondent did not perform: 1) a physical examination, 2) a diagnostic testing, 3) a urine drug screen, and/or 4) other test utilized to detect diversion. However, despite Respondent's failure to perform any of the above testing, Respondent decided to increase CS #6's total dosage of Buprenorphine HCL. At the conclusion of the visit, Respondent electronically submitted a one (1) month prescription for 30 tablets of Oxazepam 15mg, 75 tablets of Buprenorphine HCL 8mg, and 10 tablets of Clonidine HCL 0.1mg to Weis Market Pharmacy in East Norriton Township, Montgomery County, PA.

(3) CS #6 then presented as a patient to Respondent on October 20, 2017. At this visit, Respondent did not

² Oxazepam is a benzodiazepine that is categorized as a Schedule IV controlled substance under the Controlled Substance Act.

³ Buprenorphine HCL is a narcotic categorized as a Schedule III controlled substance under the Controlled Substance Act.

⁴ Clonidine HCL is a medication indicated for the treatment of hypertension (high blood pressure).

perform: 1) a physical examination, 2) a diagnostic testing, 3) a urine drug screen, and/or 4) other test utilized to detect diversion. However, despite Respondent's failure to perform any of the above testing, Respondent decided to add 60 tablets of Ibuprofen 800mg to CS #6's medication list. At the conclusion of the visit, Respondent electronically submitted a one (1) month prescription for 30 tablets of Oxazepam 15mg, 75 tablets of Buprenorphine HCL 8mg, 60 tablets of Ibuprofen 800mg, and 60 tablets of Clonidine HCL 0.1mg to Weis Market Pharmacy in East Norriton Township, Montgomery County, PA.

f. During the course of fourteen (14) instanced Respondent provided prescriptions to CS #5 and CS #6, the Respondent failed to perform a search of the Pennsylvania Drug Monitoring Program (PDMP) on all but one instance, which was the June 28, 2017 first visit for CS #5.

g. During the course of a separate investigation by the Pennsylvania Department of State, Bureau of Enforcement and Investigation, Respondent admitted that neither he nor his staff perform physical examination on the patients prior to medications being prescribed, which corresponded to the information provided by CS #5 and CS #6 during the course of NET's investigation, including that Respondent failed to perform a physical examination for all fourteen (14) instanced Respondent provided prescriptions to CS #5 and CS #6.

See Exhibit A.

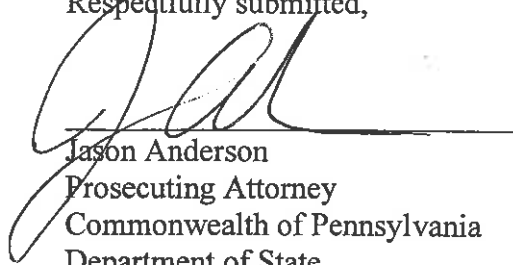
10. A true and correct copy of the MDJ Docket, Police Criminal Complaint, and Affidavit of Probable Cause for Montgomery County, Magisterial District Judge 38-1-01 case number MJ-38101-CR-0000040-2018 is attached and incorporated herein as **Exhibit A**.

11. Based upon the foregoing factual allegations, the Respondent's continued access to a license to practice as a physician and surgeon within the Commonwealth of Pennsylvania, along with the exercise of any other authorizations to practice the profession issued by the Board, makes Respondent an immediate and clear danger to the public health and safety.

12. Specifically, Respondent's dangerous prescribing practices, which include but are not limited to prescribing excessive amounts of narcotics, failing to perform examinations/evaluations prior to issuing new prescriptions, failing to perform monitoring and/or anti-diversion screening prior to issuing new prescriptions, authorizing refills of narcotics prescriptions over the phone, and prescribing narcotics to a known addict, places the public's health and safety in a state of clear and immediate risk.

WHEREFORE, the Petitioner respectfully requests that the Board issue an Order immediately suspending all of Respondent's authorizations to practice the profession issued by the Board, and in, the license to practice as a physician and surgeon, license number MD061655L, pursuant to the authority granted to it pursuant to Section 40(a) of the Medical Practice Act, Act of December 20, 1985, P.L. 457, No. 112, ("Act"), 63 P.S. § 422.40(a).

Respectfully submitted,



Jason Anderson
Prosecuting Attorney
Commonwealth of Pennsylvania
Department of State
P.O. Box 69521
Harrisburg, PA 17106-9521
(717) 783-7200

DATE: February 16, 2018

Magisterial District Judge 38-1-01

DOCKET

Docket Number: MJ-38101-CR-0000040-2018

Criminal Docket



Commonwealth of Pennsylvania

v.

Spiro Y Kassis

Page 1 of 3

CASE INFORMATION

<u>Judge Assigned:</u>	Magisterial District Judge Marc A. Alfano	<u>Issue Date:</u>	02/14/2018
<u>OTN:</u>	U 555404-3	<u>File Date:</u>	02/14/2018
<u>Arresting Agency:</u>	Montgomery County, Detectives	<u>Arrest Date:</u>	
<u>Complaint/Incident #:</u>	20180613	<u>Disposition:</u>	
<u>County:</u>	Montgomery	<u>Disposition Date:</u>	
<u>Township:</u>	East Norriton Township	<u>Case Status:</u>	Active

STATUS INFORMATION

<u>Case Status</u>	<u>Status Date</u>	<u>Processing Status</u>
Active	02/14/2018	Awaiting Preliminary Hearing

CALENDAR EVENTS

<u>Case Calendar</u>	<u>Schedule</u>			<u>Judge Name</u>	<u>Schedule</u>
<u>Event Type</u>	<u>Start Date</u>	<u>Start Time</u>	<u>Room</u>		<u>Status</u>
Preliminary Arraignment	02/14/2018	8:25 pm		Magisterial District Judge Maureen C. Coggins	Scheduled
Preliminary Hearing	02/28/2018	9:00 am		Magisterial District Judge Marc A. Alfano	Scheduled

CONFINEMENT

<u>Confinement Location</u>	<u>Confinement Type</u>	<u>Confinement Reason</u>	<u>Confinement</u>	<u>Confinement</u>
			<u>Date</u>	<u>End Date</u>
Case Confinement Montgomery County Prison	County Jail	Unable to Post Bail	02/14/2018	

DEFENDANT INFORMATION

<u>Name:</u>	Kassis, Spiro Y	<u>Sex:</u>	Male
<u>Date of Birth:</u>	[REDACTED]	<u>Race:</u>	White
<u>Address(es):</u>			
<u>Home</u>			
Plymouth Mtg, PA 19462			

Advised of His Right to Apply for Assignment of Counsel?	Yes
Public Defender Requested by the Defendant?	No
Application Provided for Appointment of Public Defender?	No
Has the Defendant Been Fingerprinted?	No

MDJS 1200

Printed: 02/15/2018 2:00 pm

Recent entries made in the court filing offices may not be immediately reflected on these docket sheets. Neither the courts of the Unified Judicial System of the Commonwealth of Pennsylvania nor the Administrative Office of Pennsylvania Courts assumes any liability for inaccurate or delayed data, errors or omissions on these docket sheets. Docket sheet information should not be used in place of a criminal history background check, which can only be provided by the Pennsylvania State Police. Employers who do not comply with the provisions of the Criminal History Record Information Act (18 Pa.C.S. Section 9101 et seq.) may be subject to civil liability as set forth in 18 Pa.C.S. Section 9183.

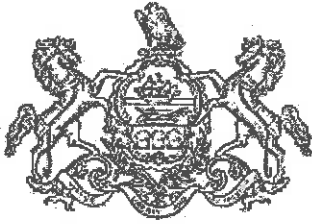
EXHIBIT
A

Magisterial District Judge 38-1-01

DOCKET

Docket Number: MJ-38101-CR-0000040-2018

Criminal Docket



Commonwealth of Pennsylvania

v.

Spiro Y Kassis

Page 2 of 3

CASE PARTICIPANTS

Participant Type

Defendant

Arresting Officer

Participant Name

Kassis, Spiro Y

Wood, James M. Jr.

BAIL

Bail Set:

Bail Action Type

Set

Bail Action Date

02/14/2018

Bail Type

Monetary

Percentage

Amount

\$250,000.00

Magisterial District Judge 38-1-01

DOCKET

Docket Number: MJ-38101-CR-0000040-2018

Criminal Docket



Commonwealth of Pennsylvania

v.

Spiro Y Kassis

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CHARGES

# Charge	Grade	Description	Offense Dt.	Disposition
1 35 § 780-113 §§ A14	F	Admin Etc Of Cont Subst By Pract	02/14/2018	
2 35 § 780-113 §§ A14	F	Admin Etc Of Cont Subst By Pract	02/14/2018	
3 35 § 780-113 §§ A14	F	Admin Etc Of Cont Subst By Pract	02/14/2018	
4 35 § 780-113 §§ A14	F	Admin Etc Of Cont Subst By Pract	02/14/2018	
5 35 § 780-113 §§ A14	F	Admin Etc Of Cont Subst By Pract	02/14/2018	
6 35 § 780-113 §§ A14	F	Admin Etc Of Cont Subst By Pract	02/14/2018	
7 35 § 780-113 §§ A14	F	Admin Etc Of Cont Subst By Pract	02/14/2018	
8 35 § 780-113 §§ A14	F	Admin Etc Of Cont Subst By Pract	02/14/2018	
9 35 § 780-113 §§ A14	F	Admin Etc Of Cont Subst By Pract	02/14/2018	
10 35 § 780-113 §§ A14	F	Admin Etc Of Cont Subst By Pract	02/14/2018	
11 35 § 780-113 §§ A14	F	Admin Etc Of Cont Subst By Pract	02/14/2018	
12 35 § 780-113 §§ A14	F	Admin Etc Of Cont Subst By Pract	02/14/2018	
13 35 § 780-113 §§ A14	F	Admin Etc Of Cont Subst By Pract	02/14/2018	
14 35 § 780-113 §§ A14	F	Admin Etc Of Cont Subst By Pract	02/14/2018	
15 18 § 2705	M2	Recklessly Endangering Another Person	02/14/2018	
16 18 § 2705	M2	Recklessly Endangering Another Person	02/14/2018	
17 18 § 2705	M2	Recklessly Endangering Another Person	02/14/2018	
18 18 § 2705	M2	Recklessly Endangering Another Person	02/14/2018	
19 18 § 2705	M2	Recklessly Endangering Another Person	02/14/2018	
20 18 § 2705	M2	Recklessly Endangering Another Person	02/14/2018	
21 18 § 2705	M2	Recklessly Endangering Another Person	02/14/2018	
22 18 § 2705	M2	Recklessly Endangering Another Person	02/14/2018	
23 18 § 2705	M2	Recklessly Endangering Another Person	02/14/2018	
24 18 § 2705	M2	Recklessly Endangering Another Person	02/14/2018	
25 18 § 2705	M2	Recklessly Endangering Another Person	02/14/2018	
26 18 § 2705	M2	Recklessly Endangering Another Person	02/14/2018	
27 18 § 2705	M2	Recklessly Endangering Another Person	02/14/2018	
28 18 § 2705	M2	Recklessly Endangering Another Person	02/14/2018	
29 18 § 7512 §§ A	F3	Criminal Use Of Communication Facility	02/14/2018	
30 18 § 7512 §§ A	F3	Criminal Use Of Communication Facility	02/14/2018	
31 18 § 7512 §§ A	F3	Criminal Use Of Communication Facility	02/14/2018	

DOCKET ENTRY INFORMATION

Filed Date	Entry	Filer	Applies To
02/15/2018	Commitment Printed - Unable to Post Bail	Magisterial District Court 38-1-01	Spiro Y Kassis, Defendant
02/14/2018	Criminal Complaint Filed	Magisterial District Court 38-1-01	

02/14/2018 20:56 FAX

0014/0039

02/14/2018 19:16 FAX 0102783843

0001/0026

COMMONWEALTH OF PENNSYLVANIA COUNTY OF: MONTGOMERY		POLICE CRIMINAL COMPLAINT COMMONWEALTH OF PENNSYLVANIA VS.	
Magisterial District Number: 38-1-01	DEFENDANT: SPIRO	(NAME and ADDRESS): KASSIS MALE	
MDJ Name: Hon. MARC A. ALFARANO	First Name: SPIRO	Middle Name: Y	Last Name: KASSIS
Address: 160 GERMANTOWN PK., STE. D-6 NORRISTOWN, PA. 19401-1386	116 CHANCERY PL Plymouth Meeting, PA 19462		
Telephone: (610) 272-3029			
NCIC EXTRADITION CODE TYPE <input type="checkbox"/> 1-Felony Full <input type="checkbox"/> 6-Felony Pend. <input type="checkbox"/> C-Misdemeanor Surrounding States <input type="checkbox"/> Distance: <input type="checkbox"/> 2-Felony Ltd. <input type="checkbox"/> 6-Felony Pend. Extradition <input type="checkbox"/> D-Misdemeanor No Extradition <input type="checkbox"/> 3-Felony Surrounding <input type="checkbox"/> A-Misdemeanor Full <input type="checkbox"/> E-Misdemeanor Pending <input type="checkbox"/> 4-Felony No Ext. <input type="checkbox"/> B-Misdemeanor Limited <input type="checkbox"/> F-Misdemeanor Pending Extradition Determ.			
DEFENDANT IDENTIFICATION INFORMATION Docket Number: 02/14/2018 Date Filed: 02/14/2018 OTNLiveScan Number: 20180613 Complaint/Incident Number: 20180613 Request Lab Services? <input type="checkbox"/> YES <input type="checkbox"/> NO			
GENDER	DOB: [REDACTED]	POB: JORDAN	Add'l DOB:
<input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	AKA First Name:	Middle Name:	Last Name: Gen.
Race	<input checked="" type="checkbox"/> White <input type="checkbox"/> Asian <input type="checkbox"/> Black <input type="checkbox"/> Native American <input type="checkbox"/> Unknown <input type="checkbox"/> Hispanic <input type="checkbox"/> Non-Hispanic <input type="checkbox"/> Unknown		
ETHNICITY	<input checked="" type="checkbox"/> GRY (Gray) <input type="checkbox"/> RED (Red / Auburn) <input type="checkbox"/> SDY (Sandy) <input type="checkbox"/> BLU (Blue) <input type="checkbox"/> PLE (Purple) <input type="checkbox"/> BRO (Brown) <input type="checkbox"/> BLK (Black) <input type="checkbox"/> ONG (Orange) <input type="checkbox"/> WHI (White) <input type="checkbox"/> XXX (Unk/Bald) <input type="checkbox"/> GRN (Green) <input type="checkbox"/> PNK (Pink)		
HAIR COLOR	<input type="checkbox"/> BLN (Blonde / Strawberry) <input type="checkbox"/> BLU (Blue) <input checked="" type="checkbox"/> BRO (Brown) <input type="checkbox"/> GRN (Green) <input type="checkbox"/> GRY (Gray) <input type="checkbox"/> HAZ (Hazel) <input type="checkbox"/> MAR (Maroon) <input type="checkbox"/> PNK (Pink) <input type="checkbox"/> MUL (Multicolored) <input type="checkbox"/> XXX (Unknown)		
EYE COLOR	<input type="checkbox"/> BLK (Black) <input type="checkbox"/> BLU (Blue) <input checked="" type="checkbox"/> BRO (Brown) <input type="checkbox"/> GRN (Green) <input type="checkbox"/> GRY (Gray) <input type="checkbox"/> HAZ (Hazel) <input type="checkbox"/> MAR (Maroon) <input type="checkbox"/> PNK (Pink) <input type="checkbox"/> MUL (Multicolored) <input type="checkbox"/> XXX (Unknown)		
Driver License	State: PA	License Number:	Expires:
DNA	<input type="checkbox"/> YES <input type="checkbox"/> NO	DNA Location:	WEIGHT (lbs.)
FBI Number		MNU Number	200
Defendant Fingerprinted	<input type="checkbox"/> YES <input type="checkbox"/> NO		FL HEIGHT In.
Fingerprint Classification:			6 0
DEFENDANT VEHICLE INFORMATION Plate # State Hazmat Registration Sticker (MMYY) Comm'l Veh. School Veh. Oth. NCIC Veh. Code Reg. same as Def.			
VIN	Year	Make	Model
			Style Color

Office of the Attorney for the Commonwealth ☐ Approved ☐ Disapproved because:

(The attorney for the Commonwealth may require that the complaint, arrest warrant affidavit, or both be approved by the attorney for the Commonwealth prior to filing. Pa.R.Crim.P. 507.)

(Name of Attorney for Commonwealth - Please Print or Type)

(Signature of Attorney for Commonwealth)

(Date)

I, **JIM WOOD**

(Name of Affiant - Please Print or Type)

11

(PSAP/POB/C - Assigned Affiant ID Number & Badge #)

PA0465200

(Police Agency ORI Number)

James Lavin

(Co-Affiant)

of **Montgomery County Detective Bureau**

(Identify Department or Agency Represented and Political Subdivision)

do hereby state: (check appropriate box)

1. ☒ I accuse the above named defendant who lives at the address set forth above
☐ I accuse the defendant whose name is unknown to me but who is described as
SPIRO V. KASSIS DR.
☐ I accuse the defendant whose name and popular designation or nickname is unknown to me
 and whom I have therefore designated as John Doe or Jane Doe,
 with violating the penal laws of the Commonwealth of
 Pennsylvania at:

40 W. 202 East
 Germantown Norriton
 n Pike, East
 Norriton
 (Address) (Subdivision Code) (Police-Political Subdivision)

in MONTGOMERY County 38 on or about

(County Code)

02/14/2018 11:20

(Offense Date)

POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed: 02/14/2018	OTN/LiveScan Number	Complaint/Incident Number 20180613
Defendant Name:	First: SPIRO	Middle: Y	Last: KASSIS

The acts committed by the accused are described below with each Act of Assembly or statute allegedly violated, if appropriate. When there is more than one offense, each offense should be numbered chronologically. (Set forth a brief summary of the facts sufficient to advise the defendant of the nature of the offense(s) charged. A citation to the statute(s) allegedly violated, without more, is not sufficient. In a summary case, you must cite the specific section(s) and subsection(s) of the statute(s) or ordinance(s) allegedly violated. The age of the victim at the time of the offense may be included if known. In addition, social security numbers and financial information (e.g. PINs) should not be listed. If the identity of an account must be established, list only the last four digits. 204 PA.Code §§ 213.1 - 213.7.)

Inchoate Offense:	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	Number of Victims Age 60 or Older _____
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<input type="checkbox"/> 1	780-113	(A)(14)*	35 PA P.S.A	14	F	3599	35A
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PennDOT Data (if applicable)	Accident Number	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code
			<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone	

Statute Description (include the name of statute or ordinance): DELIVERY BY PRACTITIONER-SCHED II

Acts of the accused associated with this Offense: (a) The following acts and the causing thereof within the Commonwealth are hereby prohibited:

(14) The administration, dispensing, delivery, gift or prescription of any controlled substance by any practitioner or professional assistant under the practitioner's direction and supervision unless done (i) in good faith in the course of his professional practice; ?(ii) within the scope of the patient relationship; ?(iii) in accordance with treatment principles accepted by a responsible segment of the medical profession.

Inchoate Offense:	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	Number of Victims Age 60 or Older _____
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<input type="checkbox"/> 2	2705		18 PA C.S.A	14	M-2	1602	90Z
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PennDOT Data (if applicable)	Accident Number	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code
			<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone	

Statute Description (include the name of statute or ordinance): RECKLESSLY ENDANGERING ANOTHER PERSON

Acts of the accused associated with this Offense: A person commits a misdemeanor of the second degree if he recklessly engages in conduct which places or may place another person in danger of death or serious bodily injury.

Inchoate Offense:	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	Number of Victims Age 60 or Older _____
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<input type="checkbox"/> 3	7512	(A)	18 PA C.S.A	3	F-3	5006	90Z
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PennDOT Data (if applicable)	Accident Number	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code
			<input type="checkbox"/> Interstate	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone	

Statute Description (include the name of statute or ordinance): CRIMINAL USE OF COMMUNICATION FACILITY

Acts of the accused associated with this Offense: (a) Offense defined.--A person commits a felony of the third degree if that person uses a communication facility to commit, cause or facilitate the commission or the attempt thereof of any crime which constitutes a felony under this title or under the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act. Every instance where the communication facility is utilized constitutes a separate offense under this section.

POLICE CRIMINAL COMPLAINT

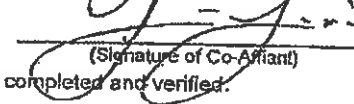
Docket Number:	Date Filed: 02/14/2018	OTN/LiveScan Number	Complaint/Incident Number 20180613
Defendant Name:	First: SPIRO	Middle: Y	Last: KASSIS

2. I ask that a warrant of arrest or a summons be issued and that the defendant be required to answer the charges I have made.
3. I verify that the facts set forth in this complaint are true and correct to the best of my knowledge or information and belief. This verification is made subject to the penalties of Section 4904 of the Crimes Code (18 Pa.C.S. § 4904) relating to unsworn falsification to authorities.
4. This complaint consists of the preceding page(s) numbered 1 through .

The acts committed by the accused, as listed and hereafter, were against the peace and dignity of the Commonwealth of Pennsylvania and were contrary to the Act(s) of the Assembly, or in violation of the statutes cited. (Before a warrant of arrest can be issued, an affidavit of probable cause must be completed, sworn to before the issuing authority, and attached.)

JIM WOOD / James 02/14/2018
Lavin (Date)


(Signature of Affiant)


(Signature of Co-Affiant)

AND NOW, on this date 2/14/18 I certify that the complaint has been properly completed and verified.

An affidavit of probable cause must be completed before a warrant can be issued.


(Magisterial District Court Number)

38-2-02
(Issuing Authority)



POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed: 02/14/2018	OTN/LiveScan Number	Complaint/Incident Number 20180613
Defendant Name:	First: SPIRO	Middle: Y	Last: KASSIS

AFFIDAVIT of PROBABLE CAUSE**ARREST AFFIDAVIT OF PROBABLE CAUSE****AFFIANT****DETECTIVE TRAINING AND EXPERIENCE**

Your affiant, James Wood, is a Detective employed by the Montgomery County District Attorney's Office, currently assigned to the Montgomery County Detective Bureau's Narcotics Enforcement Team. Detective Wood has been a sworn law enforcement officer since 1986. In his capacity as a Police Officer, he has been involved in over two thousand arrests and investigations for violations of the Controlled Substance, Drug, Device and Cosmetic Act of 1972.

In May, 1984 he was trained and certified as an Ocean City New Jersey Police Officer. He received additional training in narcotics investigations as he worked as an undercover narcotics Officer in the summer of 1984 for the Ocean City Police Department. The undercover operation resulted in the arrests of numerous persons and the confiscations of large amounts of drugs, United States Currency and drug paraphernalia.

From January, 1985 to June 1986, Detective Wood was a member of the United States Department of Defense Police Department assigned to the Philadelphia Naval Yard. During this time he received training in narcotics investigations as well as other Police related training.

On June 23, 1986 Detective Wood attended the Philadelphia Police Academy, graduating in October, 1986. During this time he received training relating to narcotics investigations. Detective Wood was assigned to the 12th Police district located in Southwest Philadelphia from 1986 to 1989 where he was a Philadelphia Patrol Officer. During his time as a Patrol Officer he made several narcotics arrests. Detective Wood was then assigned to a plain clothes unit, the Burglary and Narcotics District Enforcement Team (BANDET) within the 12th district. During his time in the BANDET unit he executed several search warrants and made numerous narcotics arrests, resulting in the confiscation of large amounts of drugs, guns, United States Currency, vehicles and paraphernalia.

In 1989 Detective Wood was transferred from the 12th district to the newly formed Narcotics Field Unit. He worked in the North Narcotics Field Unit from 1989 to 1994 which covers the 14th and 35th districts, neighborhoods such as Olney, Oak Lane, Nicetown, Germantown, Mount Airy and Chestnut Hill. During Detective Wood's time in the North Narcotics unit he executed several search warrants and made numerous narcotics arrests resulting in the confiscation of large amounts of drugs, guns, United States Currency, vehicles and drug paraphernalia. In 1994 Detective Wood was reassigned to the Southwest Narcotics Field Unit which covers the 12th and 18th districts. During his time in the Southwest Narcotics unit Detective Wood executed several search warrants and made numerous narcotics arrests resulting in the confiscation of large amounts of drugs, guns, United States Currency, vehicles and drug paraphernalia.

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In 1998 he was detailed to the Philadelphia District Attorney's Dangerous Drug Offenders Unit (DDOU). From 1998 to 2005 Detective Wood was involved in several wiretap investigations and other investigations which led to the execution of numerous search warrants resulting in the arrests of hundreds of people and the confiscation of large amounts of drugs, United States Currency, guns, vehicles, paraphernalia etc. In January 2006 Detective Wood was promoted to the rank of Detective and was transferred to the Southwest Detective Division. During this time he was assigned numerous cases including narcotics cases.

In March 2006, Detective Wood was detailed back to the Philadelphia District Attorney's Office Dangerous Drug Offenders Unit until he retired from the Philadelphia Police department in September, 2011.

On September 19, 2011, Detective Wood was hired as a Montgomery County detective working for the Montgomery County District Attorney's Office, assigned to the Narcotics Enforcement Team, which handles a multitude of various narcotics investigations.

Detective Wood has been qualified as an expert witness relating to narcotics investigations. These qualifications have been in the Montgomery County Common Pleas Court, the Philadelphia Municipal and Common Pleas Courts, as well as in Federal Court. Detective Wood trained narcotics officers on expert testimony and instructed members of the Philadelphia District Attorney's Office on drug identification and methods of drug users and distributor's. During his tenure as a law enforcement officer, Detective Wood participated in the preparation and execution of numerous search and seizure warrants resulting in the seizure of large quantities of Controlled Substances (Cocaine, Cocaine base (crack), Heroin, Marijuana, Methamphetamine, MDMA (Ecstasy), Synthetic Marijuana, prescription drugs, including but not limited to Oxycodone, Hydrocodone, Fentanyl, Xanax etc.), fraudulent prescriptions, packaging implements and other paraphernalia involved in the distribution of Controlled Substances, firearms used by drug dealers to protect their narcotics and/or proceeds, large amounts of United States Currency, other assets of wealth (including automobiles, real estate, bank accounts, jewelry etc.), drug records, customer lists and other documents relating to the ordering, purchasing and distribution of Controlled Substances.

During Detective Wood's tenure working for the Montgomery County District Attorney's Office, he has been involved in several large scale drug investigations resulting in the arrest of several individuals and the seizure of large amounts of drugs, United States Currency, firearms and drug paraphernalia. Many of these investigations were through the use of wiretap investigations.

This also includes investigations of legal drugs such as Oxycodone, Buprenorphine, Benzodiazepines and other legal drugs used for legitimate purposes.

Detective Wood has more recently been working on several cases involving the diversion of these legal drugs to street drug dealers and addicts. These cases involve doctors, dentists, pharmacists or other professionals authorized to prescribe, administer or provide narcotic medication.

The amount of narcotics prescribed by doctors has increased dramatically over the

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past 10 years. This trend caused a dramatic increase in the amount of opioid addicts and street dealers selling their prescriptions or their prescription medications. The law enforcement community was also made aware to the increase of "pill mill" doctors taking advantage of the opioid crisis.

Defective Wood has spoken to addicts and drug dealers who try to find out what doctor is more likely to prescribe narcotics to them without any restrictions. The term for these people is, "drug seekers." or "doctor shoppers." Detective Wood has learned, through his training, knowledge and experience this is common with addicts and drug dealers because of the ease of the accessibility to drugs.

Your affiants also know, based on our training, knowledge and experience, addicts and drug dealers communicate about seeking doctors who are overprescribing. This happens because when one "pill mill" doctor is shut down, they must find a new doctor willing to provide them with the particular narcotics they are seeking.

Detective Wood has also received updated training with regards to Federal and Pennsylvania state regulations and laws involving the prescribing, dispensing and administering prescription drugs.

DETECTIVE TRAINING AND EXPERIENCE

Your affiant, James Lavin, is detailed to the Montgomery County Detective Bureau as a Special Detective and assigned to the Narcotics Enforcement Team (NET) on a full-time basis.

Detective Lavin started his law enforcement career in May of 2006, when he accepted the position of Special I Police Officer with the Ocean City, New Jersey Police Department. During his employment, Detective Lavin successfully graduated from the Cape May County, New Jersey Summer I Police Academy. Detective Lavin was subsequently assigned to a special unit, the All-Terrain Vehicle (ATV) unit, which was primarily responsible for public safety on the beaches of the city. During the summer of 2006, Detective Lavin made several drug and alcohol related arrests.

In August of 2006, Detective Lavin attended the Montgomery County, Pennsylvania Police Academy located in Norristown. A short time after the academy began Detective Lavin was elected by his peers to be the class Captain. As Captain, Detective Lavin was responsible for planning and executing the cadets' daily duties and responsibilities. Detective Lavin successfully graduated from the Montgomery County, Pennsylvania Police Academy in June of 2007 and was certified to be a police officer in Pennsylvania through the Municipal Police Officer's Education and Training Commission (MPOETC)-certification # 36980.

In June of 2007, Detective Lavin was hired by the Marlborough Township Police Department in Montgomery County, Pennsylvania as a full-time, police officer. Detective Lavin was a patrol officer for the Marlborough Township Police Department, but due to the size of the agency, Detective Lavin was also responsible for conducting his own investigations as well as other cases assigned to him by either the Chief of Police or Lieutenant. Detective Lavin investigated individuals and made arrests for violations of the drug act, driving under the influence of drugs and alcohol, as well as numerous other crimes code violations.

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In January of 2008, Detective Lavin was hired by the Upper Perk Police Department in Montgomery County, Pennsylvania as a full-time, police officer. Detective Lavin was originally assigned to the patrol division. Soon after Detective Lavin was hired by the Upper Perk Police Department, he was assigned to the Montgomery County District Attorney's Office Local Drug Task Force. Detective Lavin was sworn in as a Special County Detective on or about the summer of 2008. Detective Lavin has since been assigned to supervise and oversee all drug task force related investigations within the police department. Detective Lavin is currently assigned to the Criminal Investigations Division on a full-time basis. In February of 2015, Detective Lavin was promoted to the rank of Corporal by the Upper Perk Police Department.

In December of 2017, Detective Lavin was deputized by the Federal Bureau of Investigation (FBI) as a Federal Task Force Officer and attached to the FBI's Bucks-Montgomery Safe Streets Task Force. The mission of this task force is to identify and target for prosecution criminal enterprise groups responsible for drug trafficking, money laundering, alien smuggling, crimes of violence such as murder and aggravated assault, robbery and violent street gangs, as may be a federal investigative interest.

In February of 2018, Detective Lavin was detailed, full-time, to the Montgomery County District Attorney's Office Detective Bureau and assigned to the Narcotics Enforcement Team (NET).

Detective Lavin has been involved with hundreds of investigations involving controlled substances including powder cocaine, cocaine base, heroin, marijuana, pharmaceutical substances, GHB, methamphetamines, and ecstasy. Detective Lavin has also been involved in numerous investigations relating to marijuana grow operations. All these seizures originated from both indoor and outdoor grow operations, traffic stops, controlled buys, buy-bust operations, the use of electronic surveillance, and/or a Wire-Tap investigation. The wire-tap investigation was conducted by the Montgomery County District Attorney's Office. This investigation involved interstate drug trafficking, which resulted in a significant amount of contraband being seized (drugs, guns, money). Detective Lavin was an instrumental part of the investigative team. Detective Lavin has also attended classes relating to topics involving the cultivation of marijuana, crack cocaine, and methamphetamines.

Detective Lavin has and continues to interview and arrest individuals who themselves are sellers, distributors, manufacturers, and users of narcotic drugs. During these interviews, Detective Lavin learned detailed information relating to how drugs are ingested into the human body and the paraphernalia used to assist in the consumption. Detective Lavin has acted in an undercover capacity where he has participated in the process of buying and selling controlled substances such as powder cocaine, marijuana, heroin, liquid methadone, and ecstasy. As a detective, Detective Lavin manages, communicates with, and utilizes confidential sources on a regular basis. Detective Lavin's use of these confidential sources has led to numerous arrests and convictions of drug law violators.

As a result of Detective Lavin's ongoing training and experience, he is familiar with the terminology, practices, methods, techniques, and equipment used by those involved in the unlawful trafficking, possession, and use of controlled substances in the Commonwealth of Pennsylvania.

POLICE CRIMINAL COMPLAINT

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DETECTIVES' TRAINING AND EXPERIENCES- CONTINUED

Based on our training and experience, we know that some doctors and other health care providers licensed to dispense controlled substances knowingly sell controlled substances or write prescriptions for controlled substances to cash buyers and those with medical insurance, such as addicts and drug dealers, for no legitimate medical purpose and outside the normal course of professional practice. We know that doctors involved in illegal drug distribution crimes sometimes do not accept insurance (prefer cash customers/patients).

Based on our training and experience, we know that Oxycodone is a narcotic analgesic that is similar to morphine and is classified as a Schedule II controlled substance, sometimes prescribed under the brand names OxyContin and Percocet. Oxycodone is an opioid and is used to treat severe pain, and, even if taken only in prescribed amounts, can still cause physical and psychological dependence.

Suboxone, classified as a Schedule III controlled substance, contains a combination of buprenorphine and naloxone. Buprenorphine is an opioid medication and is intended for the treatment of pain (Buorenex) and opioid addiction (Suboxone and Subutex). Buprenorphine is similar to other opioids such as morphine, codeine, and heroin; however, it produces a less euphoric ("high") effect and therefore may be easier to stop taking. If Suboxone is injected, naloxone will block the effects of buprenorphine and lead to withdrawal symptoms in a person with an opioid addiction. When administered under the tongue as directed, naloxone will not affect the actions of buprenorphine. Suboxone is used to treat opiate addiction and pain. Though often utilized for addiction treatment, buprenorphine and buprenorphine with naloxone are abused by addicts and are highly susceptible to drug diversion.

Benzodiazepines are a class of drugs that produce central nervous system (CNS) depression and are most commonly used to treat insomnia and anxiety. There is the potential for dependence on and abuse of benzodiazepines particularly by individuals with a history of multi-substance abuse. Members of benzodiazepine family are usually DEA Schedule IV controlled substances. When used in combination, opioids, muscle relaxants (e.g. Carisoprodol) and benzodiazepines can produce a euphoric effect. This dangerous combination of drugs has been given the nickname of the "Holy Trinity" and is commonly requested by drug-dependent people. It should be noted that the Federal Food and Drug Administration has advised physicians that extra caution is needed when prescribing drugs from the benzodiazepine family to pregnant patients.

Pharmaceutical drugs like Oxycodone, as well as the other drugs mentioned above, have a definite purity and known ingredients, unlike street-drugs like heroin and methamphetamine, which have relatively unknown purity and ingredients. Additionally, the above-described controlled substances have a "street value"; that is, the value on the illegal secondary market. Oxycodone is particularly valued and in demand on the illegal secondary street market. Pills containing Oxycodone sell for as much as one (\$1) dollar per milligram on the illegal secondary street market.

INVESTIGATIVE TEAM

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The investigative team also includes Joseph Fallon and Sherilyn Gillespie. Joseph Fallon is a Detective employed by the Abington Township Police Department. Detective Fallon is assigned to the Montgomery County District Attorney's Office Local Drug Task Force (DTF) and Drug Enforcement Administration's (DEA) Drug Diversion Squad.

Sherilyn Gillespie is a Professional Investigator II employed by the Pennsylvania Department of State and assigned to the Bureau of Enforcement and Investigation.

OVERVIEW OF CRIMINAL INVESTIGATION

The Montgomery County Detective Bureau Narcotics Enforcement Team (NET) initiated an investigation into the prescribing habits of Dr. Spiro Kassis (DOB: [REDACTED]), who at the time was known to have a medical practice at 40 W. Germantown Pike, East Norriton Township, Montgomery County, Pennsylvania. This investigation was initiated after a concerned citizen came forward and reported that Doctor (Dr.) Spiro Kassis was in the habit of prescribing narcotic pain killers (pills) to Opioid Addicts. The concerned citizen described Dr. Spiro Kassis' medical practice as a "pill mill". Your affiants know that, a "pill mill" is a term used to describe a doctor or group of doctors who prescribe a substantial amount of opioids and/or other addictive substances beyond the scope of legitimate medical practices and without abiding by accepted medical guidelines.

Your affiants and other law enforcement officials have interviewed a substantial amount of concerned citizens and/or confidential sources, who have all raised concerns over the prescribing habits of Doctor Spiro Kassis. These cooperating sources alleged that Dr. Spiro Kassis treats drug addicted persons and prescribes them controlled substances without any medical assessment or legitimate follow up. Additionally, it was reported that Dr. Kassis would only authorize these prescriptions in exchange for a \$200.00 cash payment.

Your affiants utilized two (2) confidential sources to infiltrate Dr. Spiro Kassis' medical practice under the guise that they were "normal" patients. These confidential sources told Dr. Kassis that they had a history of opioid abuse and they described generally the same back/neck related problems. One of these confidential sources had a doctor-patient relationship with Dr. Kassis prior to his/her cooperation with law enforcement. During that doctor-patient relationship, Dr. Kassis was treating the confidential source for opioid addiction. However, when the confidential source was sent in to see Dr. Kassis by law enforcement for a back/neck issue, Dr. Spiro Kassis prescribed him/her Oxycodone, a highly addictive and dangerous opioid. The confidential source paid Dr. Kassis \$200.00 every two weeks in exchange for the Oxycodone.

The other confidential source had no prior relationship with Dr. Spiro Kassis and was prescribed buprenorphine and other pills and told that his/her pain could be managed with buprenorphine and an over the counter pain reliever. This confidential source had to pay Dr. Kassis \$200.00 each time he/she sought a prescription from Dr. Kassis. Dr. Kassis never physically examined either confidential source; never followed up with other doctors to see if these complaints were legitimate; he did not routinely check the prescription drug monitoring program; and he delayed or never demanded a urine sample. These actions, or lack of action, often violated the Controlled Substance Act and Pennsylvania Standards for

POLICE CRIMINAL COMPLAINT

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Prescribing a Controlled Substances.

This investigation also revealed that Dr. Spirio Kassis would authorize prescriptions for Oxycodone, buprenorphine, and other pills over the phone without even seeing his patient. Dr. Kassis would accept payment for the "phone visit" over the phone via credit card. Many times, Dr. Kassis would not communicate with the confidential source during these "phone visits."

THE CONTROLLED SUBSTANCE ACT AND PENNSYLVANIA STANDARDS FOR PRESCRIBING A CONTROLLED SUBSTANCE

Medical doctors are permitted to prescribe controlled substances subject to legal limitations. Title 35, P.S. §780-111(d), of Pennsylvania's Controlled Substance Act provides in part that "a practitioner may prescribe, administer, or dispense a controlled substance or other drug or device only (i) in good faith in the course of his professional practice, (ii) within the scope of the patient relationship, and (iii) in accordance with treatment principles accepted by a responsible segment of the medical profession." Prescribing in violation of any of these three tenants amounts to a violation of Title 35, P.S. §780-113(a)(14) and is a felony offense.

Furthermore, Title 49, Chapter 16.92, defines the authority of physicians licensed by the Commonwealth of Pennsylvania to prescribe or dispense controlled substances. These standards require minimum actions a medical doctor must take before prescribing a controlled substance. Chapter 16.92 provides in pertinent part:

(a) A person licensed to practice medicine and surgery in this Commonwealth or otherwise licensed or regulated by the Board, when prescribing, administering or dispensing controlled substances, shall carry out, or cause to be carried out, the following minimum standards:

(1) Initial medical history and physical examination. An initial medical history shall be taken and an initial examination shall be conducted unless emergency circumstances justify otherwise. Alternatively, medical history and physical examination information recorded by another health care provider may be considered if the medical history was taken and the physical examination was conducted within the immediately preceding thirty days. The physical examination shall include an evaluation of the heart, lungs, blood pressure and body functions that relate to the patient's specific complaint.

(2) Reevaluations. Reevaluations of the patient's condition and efficacy of the drug therapy shall be made consistent with the condition diagnosed, the drug or drugs involved, expected results and possible side effects.

(3) Patient counseling. The patient shall be counseled regarding the condition diagnosed and the drug prescribed, administered or dispensed. Unless the patient is in an inpatient care setting, the patient shall be specifically counseled about dosage levels, instructions for use, frequency and duration of use and possible side effects.

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Accordingly, physicians are authorized to dispense controlled substances, such as Oxycodone and methadone, a pain reliever, to patients they examine only for legitimate medical purposes and in the usual course of professional practice. A Physician is required to conduct minimal standards, such as an initial physical exam, a particular re-evaluation and patient counseling before prescribing a controlled substance in Pennsylvania.

Pennsylvania established a Prescription Drug Monitoring Program in 2016 which records prescriptions made by a prescriber for Schedule II to Schedule V controlled substances. A prescriber may check the system for any patient to see if they are currently being prescribed any controlled substance by any physician in Pennsylvania.

Confidential Source # 5

In May of 2017, Affiants James Wood and Lavin interviewed an individual who had a prior doctor/patient relationship with Dr. Spiro Kassis. The cooperating source, Confidential Source (CS) # 5, described in detail how he/she was treated by Dr. Spiro Kassis for addiction for approximately 4 years. In summation, during this 4 year period Dr. Spiro Kassis prescribed CS # 5 buprenorphine to treat his/her addiction to opioids (Oxycodone). CS # 5 told detectives that Dr. Spiro Kassis never did any medical exams and simply prescribed him/her medication every 2 weeks in exchange for \$200 in cash. CS # 5 described how his/her addiction spiraled out of control, which ultimately lead to his/her arrest for driving under the influence. CS # 5 checked himself/herself into an inpatient rehabilitation facility and was successfully weaned off of all controlled substances in a short period of time (less than 30 days).

CS # 5 said he/she was seen by Dr. Kassis over a four-year period ending in 2015. CS # 5 said during that time CS # 5 would owe Dr. Kassis several hundred dollars at a time because of the high cost of the office visits (\$400 per month / \$4,800 per year). CS # 5 said Dr. Kassis stopped seeing him/her at one point because of the lack of payment. CS # 5 would plead with Dr. Kassis to give him/her medication and Dr. Kassis would only give CS # 5 the prescriptions if he was paid for the "office visit."

CS # 5 Controlled Buy # 1

On June 28, 2017, CS # 5 went to Dr. Spiro Kassis' office, 40 W. Germantown Pike, Norristown, East Norriton Township, Montgomery County, Pennsylvania, for a scheduled office visit. Dr. Spiro Kassis told CS # 5 that he knew he/she was struggling with some things in the past and they discussed having better communication. CS # 5 told Dr. Spiro Kassis that the purpose of the visit was because he/she was having pain in his/her neck. Dr. Spiro Kassis, while armed with the knowledge of CS # 5's past addiction issues, was originally going to prescribe Buprenorphine, but decided to prescribe #60 Oxycodone 15mg tablets. CS # 5 paid Dr. Kassis \$200 in cash for the office visit. The Oxycodone was electronically submitted to CS # 5's pharmacy.

During the course of this first office visit, Kassis did not perform a physical examination, including CS # 5's vitals, as required. Kassis never requested CS # 5's medical records for the considerable time he had not been seeing CS # 5. Kassis knew CS # 5 had a history of drug addiction but did not request a urine sample to test for illicit drugs.

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CS # 5 Controlled Buy # 2

On July 12, 2017, CS # 5 went to Dr. Spiro Kassis' office for a scheduled office visit. CS # 5 went into the office and Dr. Kassis asked how everything was going. Dr. Kassis electronically submitted an additional prescription for #60 Oxycodone 15mg tablets to CS # 5's pharmacy. CS # 5 paid Dr. Kassis \$200 in cash for the office visit. The meeting between Dr. Kassis and CS # 5 lasted only 4 minutes. Dr. Spiro Kassis did not perform any medical examinations before prescribing the Oxycodone. CS # 5 was scheduled to see Dr. Kassis in another two (2) weeks.

CS # 5 met with Dr. Kassis in what appears to be an office room, not an exam room commonly used by a medical doctor. There is a desk with a computer, office phone and a few chairs. Dr. Kassis sat at the desk across from CS # 5 and never performed any physical examination.

CS # 5 Controlled Buy # 3

On July 26, 2017, CS # 5 called Dr. Spiro Kassis' office, 610-277-8000, to notify the doctor that he/she could not make his/her scheduled appointment. CS # 5 originally made contact with Dr. Spiro Kassis' office assistant. CS # 5 told the assistant that he/she could not make his/her scheduled appointment. The assistant told CS # 5 that he/she could pay over the phone with his/her credit card and they would send the prescription to the pharmacy or they could re-schedule the appointment. CS # 5 asked for Dr. Kassis to call him/her back.

Dr. Kassis called CS # 5 back and was told that he/she could not make the appointment. Dr. Kassis said that CS # 5 could pay via credit card over the phone for the prescription to be submitted to the pharmacy. CS # 5 provided Dr. Kassis with his/her credit card information and was charged \$200 for the "phone visit." Dr. Kassis electronically submitted a prescription for #60 Oxycodone 15mg tablets to CS # 5's pharmacy.

Kassis knows CS # 5 is a patient who has a history of opioid abuse because he treated him/her for addiction to opioids in the past. This was the 3rd time Kassis provided a prescription to CS # 5 for #60 Oxycodone 15mg tablets. Kassis charged CS # 5 \$200 via his/her credit card for nothing other than refilling his/her prescription of Oxycodone, a Schedule II controlled substance. A physical exam was not plausible since the interaction occurred over the phone, and to date, there has been no medical examination, urine test, or treatment plan established for CS # 5. CS # 5's next appointment was scheduled for August 9, 2017.

CS # 5 Controlled Buy # 4

On August 4, 2017, CS # 5 called Dr. Spiro Kassis's office, 610-277-8000, to notify the doctor that he/she could not make his/her appointment scheduled for August 9, 2017. Dr. Kassis answered the phone and CS # 5 informed him of the situation. Dr. Kassis asked if CS # 5 could come to his office on Saturday, August 5, 2017, between 11:00AM and 12:00PM, but CS # 5 said he/she was unable to do so. Dr. Kassis determined that CS # 5's credit card information was on file and said that he could charge his/her credit card and send the "60" to

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the pharmacy. Dr. Spiro Kassis electronically submitted #60 Oxycodone 15mg tablets for CS # 5 to his/her pharmacy.

CS # 5's previous prescription was a for a two-week supply of medication that was due to be re-filled on August 8th, 2017. Dr. Kassis not only issued a prescription for Oxycodone over the phone with no physical examination, but issued the prescription 5 days early per CS # 5's request and \$200.

CS # 5 Controlled Buy # 5

On August 18, 2017, CS # 5 went to Dr. Spiro Kassis' office for a scheduled office visit. CS # 5 entered Doctor Kassis' office and they greeted each other with small talk. Dr. Kassis said he wanted CS # 5 to sign a contract with him/her due to the medication he was prescribing CS # 5. Dr. Kassis said he has all of his patients who are taking this type of medication sign this contract so they have an understanding. Dr. Kassis then proceeded to read the contract to CS # 5.

The following paragraphs will highlight some of the verbiage used in the contract. The words or sentences in italics represent what was contained in the contract itself.

The use of Oxycodone medication may cause addiction and is only one part of the treatment for chronic pain. Which means that treatment is not only by taking medication but treatment for pain is also to address the reason why you have the pain. So we need you to, like we discussed before, kind of see what they can do for you other than just take medication.

CS # 5's cover as to why he/she went to Dr. Kassis was for issues with his/her neck. However, to this point, all Dr. Kassis has done is prescribe CS # 5 Oxycodone tablets. There has been no physical exam, x-rays or scans, or physical therapy. Dr. Kassis has not followed up with any of CS #5's medical records or significantly inquired or counseled CS #5 on other treatments as detailed in this "contract."

I have been told that if I drink alcohol or use street drugs I may not be able to think clearly and could become sleepy and risk personal injury.

Dr. Kassis has not taken any steps to follow up on whether or not CS # 5 actually has a legitimate neck injury, nor has he compelled CS # 5 to take a urine test to confirm or deny that CS # 5 was taking "street drugs" or actually taking the Oxycodone prescribed to him/her.

I may get addicted to this medicine. If I or anyone in my family has a history of drug and alcohol problems there is a higher chance of addiction.

Prior to CS # 5's involvement in this investigation, he/she initially went to Dr. Kassis because he/she was addicted to Opiate drugs. However, ever since CS # 5 started working with law enforcement and went back to Dr. Kassis, he/she was immediately prescribed Oxycodone.

I will not share, sell, or trade my medicine. I will not take anyone else's medicine. I will not increase my medicine until I speak with my doctor or nurse. My medicine may not be replaced if it is lost, stolen, or used sooner than prescribed. I will keep all of my appointments

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set up by my doctor.

Prior to this this appointment, CS # 5, at the direction of law enforcement, cancelled his/her last two office visits, so he/she did not see Dr. Kassis in person for over one (1) month. Yet, Dr. Kassis charged CS # 5 \$200 to call in the new Oxycodone prescription each time. Dr. Kassis accepted payment via credit card over the phone. Not being on time or completely missing scheduled appointments or important events, whether it is to see a doctor, go to work, or attend scheduled court hearings, is common addict behavior.

During CS # 5's office visit, Dr. Kassis received a phone call from a concerned pharmacist. The pharmacist was concerned because one of his patients went to a pharmacy to get a prescription earlier than scheduled. Dr. Kassis informed the pharmacist that he wrote the prescription early because the patient was going on vacation. After Dr. Kassis ended the phone call with the pharmacist, he told CS # 5 that some pharmacists were easy and some very difficult to convince. He continued by saying some pharmacists are okay with prescriptions being early, but others say no, it's a controlled substance, you can't do that. Dr. Kassis said he could get in trouble or "red flagged" if he authorized his patients to get prescriptions early too often.

CS # 5 paid Dr. Kassis \$200 for the office visit and they set his/her next appointment for August 30, 2017 at 2:30PM. Dr. Kassis electronically submitted #60 Oxycodone 15mg tablets to CS # 5's pharmacy.

CS # 5 Controlled Buy # 6

On August 30, 2017, CS # 5 called Dr. Spiro Kassis' Office, 610-277-8000, to inform the doctor he/she was unable to make his/her scheduled appointment. Dr. Spiro Kassis' office assistant answered the phone.

CS # 5 told the office assistant that he/she was unable to make his/her scheduled office appointment today. CS # 5 asked if it was possible for Dr. Kassis to just call the prescription into the pharmacy and take payment over the phone. The assistant confirmed that CS # 5's credit card information was on file. The assistant confirmed CS # 5's prescription was for 15mg Oxycodone and asked if Dr. Kassis had authorized this prescription over the phone before since it was for Oxycodone. The assistant verified the pharmacy the prescription would be sent to and said that Dr. Kassis would send the prescription to the pharmacy by the end of the day between 4:30PM and 5:00PM. CS # 5 asked for Dr. Kassis to call him/her back because he/she wanted to talk to the doctor about referring another patient.

Later in the day, at approximately 3:15PM, CS # 5's credit card was charged for \$200 by Dr. Kassis' Office. At approximately 4:10PM, CS # 5 was directed to call Dr. Kassis' office, 610-277-8000. A female office assistant answered the phone. The assistant said that everything should have been called in already. The assistant checked their records and confirmed that the Oxycodone prescription was submitted to the CVS Pharmacy in Pennsburg. The assistant said that Dr. Kassis told her to tell him/her that Dr. Kassis asked him/her to please be at the next appointment since it is a controlled substance and they can't do "this" all the time. The assistant and CS # 5 set up the next office visit for September 13, 2017 at 4PM. The assistant said she would have Dr. Kassis call CS # 5 after he was finished

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with his last patient. Dr. Kassis never called CS # 5.

Your affiants believe, based on our training, knowledge and experience that, Kassis is an illegal drug supplier. CS # 5's card was charged \$200.00 with no office visit. The Oxycodone was sent directly to the pharmacy for CS # 5 to pick up. Your affiants believe, based upon our training, knowledge, and experience that, Dr. Kassis is distributing dangerous controlled substances in the same manner as a common street drug dealer.

CS # 5 Controlled Buy # 7

On September 13, 2017, Detectives Wood and Lavin met with CS # 5 in preparation for a recorded phone call to Dr. Kassis' office. CS # 5 was directed to tell Dr. Kassis that he/she was once again unable to make their office visit scheduled for today at 4PM. At approximately 12:09PM, CS # 5 called Dr. Kassis' office at 610-277-8000. Dr. Kassis' office assistant answered the phone and forwarded the call to Dr. Kassis.

CS # 5 told Dr. Kassis that he/she was unable to leave work and asked Dr. Kassis if he would fill the prescription over the phone. Dr. Kassis said that we did this last time. He further stated that, "You have to know that since we're doing a controlled substance we have to get your urine done. Calling over the phone might not be you know...So because we need to follow up to make sure the medication is taken. They require that from the DA and from...Otherwise they would reprimand me." CS # 5 has had appointments with Dr. Kassis every two (2) weeks since June 28, 2017 and has yet been required to provide a urine sample.

CS # 5 followed up by asking Dr. Kassis if he would just do it this time. Dr. Kassis asked CS # 5 if he/she would promise to come in on Friday to give him a urine sample. CS # 5 informed Dr. Kassis that he/she was unavailable on Friday, but then they agreed to meet on Monday, September 18, 2017.

CS # 5 asked Dr. Kassis if he would increase the milligram on his Oxycodone like he was originally going to prescribe. Dr. Kassis responded, "We are not going to escalate and go up and up, in fact I would like to go down. Because we don't want...That's the danger of controlled substances and opiates. It's not for everyone, including you. So keep it the same until I discuss with you. We have to discuss other alternatives other than just being on medication. You need to see your orthopedic surgeon."

CS # 5 told Dr. Kassis that he/she just saw his orthopedic surgeon yesterday and got an MRI. Dr. Kassis interrupted CS # 5 and said that he had to see his/her records next week. Dr. Kassis then ended the phone call.

A short time later, CS # 5's credit/debit card was charged for \$115 from Dr. Kassis' office. The full \$200 "office visit" payment did not process because CS # 5 only had \$115 in his/her account. Detective Lavin called CVS Pharmacy in Pennsburg to see if the prescription had been filled, but at that time, it had not.

At approximately 1:55PM, CS # 5 contacted Detective Lavin and informed him that he/she received a phone call from Dr. Kassis' office in regards to the partial payment. CS # 5 informed Detective Lavin that Dr. Kassis' office assistant called him/her and said that Dr.

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Kassis said that if they did not receive the full \$200 payment that he would not fill the prescription. This statement shows, once again, that the \$200 payment, or in this case, the \$200 payoff, is Dr. Kassis' price to authorize a prescription for a controlled substance and not for medical care.

Detective Lavin picked up CS # 5 and directed him/her to place another phone call to Dr. Kassis' office, 610-277-8000. The phone call was placed at 2:08PM. The office assistant answered the phone and CS # 5 informed her that he/she had an alternate credit card to pay the remaining balance. The assistant took CS # 5's credit card information. CS # 5 advised the assistant that he/she had not used that credit card in a while and asked her if Dr. Kassis would fill his/her prescription if the payment did not go through. She responded by saying, "We'll give you a call back."

At approximately 3:30PM, CS # 5 contacted Detective Lavin and informed him that CVS Pharmacy called and notified him/her that the prescription was ready for pick-up.

At approximately 6:47PM, CS # 5 informed Detective Lavin that the alternate credit card that he/she used to pay the remaining \$85 balance to Kassis was charged for \$200.

At approximately 7:42PM, Detective Lavin met CS # 5 at the CVS Pharmacy in Pennsburg. CS # 5 picked up the prescription and turned it over to Detective Lavin. The prescription was for #60 Oxycodone 15mg tablets. The prescription was secured as evidence.

CS # 5 Controlled Buy # 8

On September 27, 2017 CS # 5 entered Dr. Kassis office at 40 W. Germantown Pike. He/she was met by the receptionist. CS # 5 told the receptionist he/she had an appointment for 3:30 PM, when in fact he/she had not made an appointment. CS # 5 sat in the waiting area of the office.

At approximately 3:53 PM, CS # 5 went into Dr. Kassis' office. Dr. Kassis was sitting at his desk, on his computer and asked CS # 5 if he could wait a little while because he was sending the previous patients prescription to the pharmacy. According to CS # 5, Kassis was also putting the patient's credit card numbers in and printed out a receipt which he placed in his desk.

Kassis asked how CS # 5 was doing. CS # 5 said he was doing all right but had to make some decisions. CS # 5 said he/she was thinking about getting surgery on his neck because his orthopedic doctor told him he has degenerative discs and he might need surgery.

Kassis told CS # 5 that any surgery to correct pain only works half of the time and he may not even need surgery. Kassis told CS # 5 not to blindly do surgery. CS # 5 said he/she likes what he/she is doing now, meaning using drugs to treat the pain. Kassis said I will tell you, you are managing fine. You may not need surgery for ten or fifteen years. If you are doing ok, don't do surgery.

CS # 5 continued talking about what else he is doing to help his situation. Kassis is looking at his computer and ten minutes into talking to CS # 5, Kassis said he would keep him on the

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Buprenorphine. CS # 5 then asked Kassis if he could increase the dosage. Kassis immediately said, "I will give you two a day." CS # 5 said to Kassis I would like to stay on the Oxycodone 15 mg. Kassis was staring at his computer and it appeared Kassis thought CS #5 was another patient.

Kassis asked CS # 5 his/her first name, then his/her last name. Kassis then brought up CS # 5's information on his computer. Kassis told CS # 5 he could build up a tolerance and need more and more. Kassis said that is not what he wants to happen. Kassis agreed to give CS # 5 #75 Oxycodone 15mg pills, which increased his previous dosage by 15 pills every two weeks.

Kassis asked CS # 5 if he could do a urine screen. CS # 5 said he would try. Kassis told CS # 5 it is mandatory and if he does not do it he will lose his license. Dr. Kassis told CS # 5, "If we don't do drug screens then they come in and ask us why we don't do that, because it's a controlled substance and if we are not monitoring you who is going to? The government wants us to monitor you to make sure you are taking the medications we are giving to you. It is important for us to comply otherwise we will be in trouble, all of us."

Kassis asked if CS # 5 was using his card for payment and CS # 5 asked if cash was ok and Kassis said, "Yeah, yeah." Kassis then took \$200.00 of (DEA) prerecorded buy money from CS # 5 and placed it in his desk. Kassis said CS # 5 can skip seeing him in two weeks and can pay for the next prescription over the phone, but at least once a month CS # 5 needs to be here. Kassis stated "We don't want to get in trouble."

Kassis then asked CS # 5 to sign a contract. Kassis then goes over the contract with CS # 5. Kassis explained the dangers of controlled substances, the dangers associated with combining alcohol, the high risk of addiction, the promise that CS # 5 will not share, trade or sell his medicine and other issues associated to using controlled substances. CS # 5 signed the contract and Kassis also signed the paper. Kassis gave CS # 5 a copy of the contract.

CS # 5 asked when his next appointment was going to be. Kassis said, two weeks. Kassis then said, call in two weeks but I will see you in a month. Kassis gave CS # 5 an appointment card with a date of 10/25/2017 at 3PM.

CS # 5 exited the office and met with Detective Wood. CS # 5 gave the copy of the contract and the appointment card to Detective Wood. Detective Wood and TFO Fallon went to the CVS pharmacy with CS # 5 at which time the prescription for #75 Oxycodone 15mg pills were filled and recovered by Detective Wood and placed into evidence.

Despite Dr. Kassis' concerns over the last "phone visit," Kassis increased CS # 5's dosage of opioids while still not conducting any physical exam or health oversight and knowing CS # 5 has history of drug addiction. Kassis had CS # 5 sign a contract though he/she had already signed and completed one at a previous office visit. Kassis requested a urine sample from CS # 5, but CS # 5 never followed through. In fact, Dr. Kassis asked CS # 5 to supply one over the phone on an earlier date which CS # 5 never completed.

CS # 5 Controlled Buy # 9

On October 11, 2017, Detective Lavin met with CS # 5 in preparation for a recorded phone call to Dr. Kassis' office. At approximately 11:59AM, CS # 5 called Dr. Kassis' office at

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610-277-8000. Dr. Kassis' office assistant answered the phone. CS # 5 told the assistant that he/she was calling to refill his/her prescription for Oxycodone. The assistant verified CS # 5's credit card information for the \$200 payment for Dr. Kassis and confirmed the pharmacy where the Oxycodone prescription would be sent. The assistant stated that Dr. Kassis would be sending the prescription to the pharmacy between 4:00PM and 4:30PM on today's date.

CS # 5 asked the assistant if he/she could get a discount since all he/she was doing was calling to get his/her prescription refilled. The assistant said she would have to say no especially because he (Dr. Kassis) is prescribing Oxycodone. The assistant said it is \$200 per office visit and technically this is considered a phone visit. The assistant said that Dr. Kassis usually likes to see his patients in person whom he is prescribing Oxycodone to. The assistant ended by saying she would talk to Dr. Kassis about CS # 5's inquiry. The phone call ended at 12:04PM. CS # 5's credit card was subsequently charged by Dr. Kassis' office for \$200.

CS # 5 and Detective Lavin went to the CVS Pharmacy in Pennsburg to pick up the prescription on October 12, 2017 at approximately 11:48AM. The prescription for #75 15mg Oxycodone HCL tablets were secured as evidence.

CS # 5 Controlled Buy # 10

On October 25, 2017 at approximately 12:14 PM, CS # 5 called Dr. Spiro Kassis' office, 610-277-8000, and an employee, whose identity is known to law enforcement, answered the phone. CS # 5 told the employee that he/she was calling to get his/her prescription re-filled. The employee asked for CS # 5's information and looked up his/her file in the computer. The employee verified the type of prescription he/she was seeking was for #75 Oxycodone 15mg tablets. CS # 5 provided his/her credit card information and the employee said they would take care of him/her today.

On October 25, 2017 at approximately 4:40PM, Dr. Spiro Kassis' office processed CS # 5's \$200 payment via his/her credit card. The prescription for #75 Oxycodone 15mg tablets was electronically sent to the pharmacy by Dr. Kassis. However, the pharmacy initially denied the prescription because it lacked the proper code. A pharmacist called CS # 5 and notified him/her that they could not fill the prescription because the proper code was not used and opined that it was suspicious.

The CVS Pharmacy spoke to Dr. Spiro Kassis about the situation on Friday October 27, 2017 when he returned to work. Dr. Kassis re-submitted CS # 5's prescription for #75 Oxycodone 15mg tablets and it was accepted by the pharmacy.

Voicemail from Office Assistant

On October 27, 2017 at approximately 1:58PM, CS # 5 received the following voicemail from Dr. Spiro Kassis' office assistant:

"...So I spoke to Dr. Kassis. He did correct the codes on the prescription however he said

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that you need to come in next month so that we can get a long term plan together for what is going on with you know your pain, so we need to set up an appointment next month. He won't be able to call in anymore prescriptions until you know we have an appointment and we can see you in person. You are good for what he sent over today but like I said we need an appointment before anymore prescriptions can be written for you to come into the office and be evaluated again. Our phone number is 610-277-8000. Thank you and have a wonderful day. Bye Bye."

CS # 5 subsequently scheduled an office appointment with Dr. Kassis for November 8, 2017 at 4:15PM.

CS # 5 Controlled Buy # 11

On November 8, 2017 at around 4:00PM, CS # 5 exited the undercover vehicle and entered Dr. Kassis' office building. When CS # 5 entered the office, he/she checked in with the office assistant and then sat in the waiting room.

At approximately 4:22 PM, CS # 5 was allowed back to Dr. Spiro Kassis in his office. Dr. Kassis asked CS # 5 if he/she got his urine done. CS # 5 advised Dr. Kassis that he/she had not and Dr. Kassis said he/she had to get it done. Dr. Kassis told CS # 5 that he/she had to sign another consent form like before. Dr. Kassis said he/she had to sign a consent form every three (3) months. Dr. Kassis subsequently highlighted, verbally, a few sections of the form and explained its purpose. Dr. Kassis said the form is to show that we are on top of things and to let you know that opiates are a dangerous medication and not designed for long-term use and there is a liability that you might actually overdose on them and die. There are risks related to having those medications and having other people having access to your medications and they can also overdose. He said is it important that we actually address all of the issues with you. He continued that we are thinking about alternatives. We have to actually show them that we are thinking about alternatives to. The medication is not designed forever without scrutinizing the medication and that we have to check your urine on a regular basis to make sure what we are giving you are actually in the your system and no one else is actually taking your medication.

Dr. Kassis confirmed the pharmacy CS # 5 uses and had him/her sign the consent form. Dr. Kassis asked how everything was going and CS # 5 told him everything was going good. Dr. Kassis started to talk about the payment for the visit and asked if he could use the card. CS # 5 said he/she would be paying cash. CS # 5 gave Dr. Kassis \$200 in cash for the office visit and Kassis put it in a desk drawer. Dr. Kassis looked up the pharmacy information and said he would send the prescription directly there.

Dr. Kassis asked CS # 5 what he/she was doing for work and CS # 5 told him he/she was doing construction work. Dr. Kassis said he/she had to protect his/her back because that type of work strains the back a lot. Dr. Kassis said taking the pill doesn't repair the damage it just numbs it. Dr. Kassis said CS # 5 might want to look into surgery and talked about how surgery could help. Dr. Kassis said that the surgical procedure might not work, maybe 50/50 or more. CS # 5 said that he/she has been talking to his/her orthopedic about options. Dr. Kassis said you need to be very careful about taking steps in that direction, meaning surgery, because it would be a major change and if it didn't work you can't reverse it and it could make things worse.

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Dr. Kassis scheduled CS # 5's next appointment for November 22, 2017 at 4:00PM. Dr. Kassis said he hopes everything continues to be okay and you continue to manage. Dr. Kassis asked CS # 5 if he/she could do a urine before he/she left and CS # 5 agreed. CS # 5 walked out of the office at approximately 4:32PM without taking a urine and got back into the car with TFO Fallon and Detective Lavin.

A few minutes later, Dr. Kassis called CS # 5 and asked him/her to come back to take the urine test. At 4:39PM, TFO Fallon and Detective Lavin dropped CS # 5 back off at Dr. Spiro Kassis' office. CS # 5 went back to the office with the body recorder activated and entered the building at 4:40PM. CS # 5 got the sample cup from the office assistant and then went into the bathroom to provide a sample. CS # 5 provided the urine sample to the assistant and then exited the building at approximately 4:44PM. CS # 5 then got back into the car with TFO Fallon and Detective Lavin.

It does not appear that Dr. Spiro Kassis checked the Prescription Drug Monitoring Program (PDMP) system because, if he had, he would have seen that CS # 5 did not pick-up his/her last prescription for Oxycodone.

CS # 5 Phone Call to Dr. Kassis' Office

On November 22, 2017 at approximately 12:30PM, Detectives Wood and Lavin met with CS # 5 in preparation for a phone call to Dr. Spiro Kassis' office. CS # 5 had an office visit scheduled for today, but the decision was made to have CS # 5 call the office instead in an attempt to have the prescription authorized over the phone. Detectives also anticipated that Dr. Kassis would want to talk about the results of his/her recent urinalysis.

At approximately 12:34PM, CS # 5 called Dr. Spiro Kassis' office, 610-277-8000. Dr. Spiro Kassis' Office Assistant answered the phone.

CS # 5 told Morgan that he/she was calling to re-fill his/her prescription. The assistant asked if they were using the credit card on file. CS # 5 said that he/she couldn't pay today (\$200 office visit fee) due to financial issues, but asked if he/she could bring cash on Monday. The assistant asked for CS # 5's telephone number. The assistant said that this sounds good and that she or Dr. Kassis would call him/her back.

Voicemail from Dr. Kassis' Office

On November 22, 2017 at approximately 4:07PM, CS # 5 received a voicemail message from the assistant, Dr. Spiro Kassis' office assistant. The assistant advised CS # 5 that she spoke to the doctor and he said no medication would be prescribed until he (CS # 5) could come in to talk to him. The assistant reiterated that they couldn't do anything over the phone and that he (CS # 5) would have to come into the office on Monday.

Dr. Kassis has authorized prescriptions for Oxycodone over the phone six (6) times in the past for CS # 5. On those six (6) previous occasions Dr. Kassis immediately received payment via credit card for the "phone visit". However, this time Kassis was notified that he would not be paid immediately and the prescription was not authorized.

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CS # 6 First Office Visit with Dr. Kassis

On September 8, 2017, DEA Task Force Officer Joe Fallon and Detectives James Wood and Lavin met with CS # 6 in preparation to send him/her into Dr. Kassis' office. CS # 6 was not a prior patient of Dr. Kassis. CS # 6 did not have a scheduled office visit and Dr. Kassis was unaware that he/she would be coming into the office today for a meeting.

After completing "new patient" paperwork with the office assistant at the front desk, CS # 6 met with Dr. Kassis. Dr. Kassis asked how long he/she has been addicted to opiates and he/she replied by saying 10 years. CS # 6 also followed up by saying that he/she was having issues with his/her back.

Dr. Kassis told CS # 6 that he wants to transition him/her to buprenorphine. Dr. Kassis said that buprenorphine plus Motrin will help his/her back pain. Dr. Kassis said that managing his/her pain was the best option. Kassis described issues with surgery and said that he/she had to manage. He further stated that pain can be managed with Percocet, however, when on Percocet the pain is exaggerated.

Dr. Kassis explained how buprenorphine works and how to take it. Dr. Kassis said that he wanted to see CS # 6 every two weeks and confirmed that he would be prescribing him/her buprenorphine. CS # 6 asked Dr. Kassis about his/her pain and Dr. Kassis said that a lot of pain is from withdrawal and that he has had people stay on buprenorphine for many years. CS # 6 also told Dr. Kassis that he/she has been having anxiety.

CS # 6 said that he/she had his/her medical records, but Dr. Kassis did not acknowledge him/her. Dr. Kassis submitted three prescriptions electronically to the Weis Market Pharmacy in East Norriton Township, Montgomery County, Pa. This pharmacy is located directly across the street from Dr. Kassis' office. The prescriptions authorized were #15 Oxazepam 15mg tablets; #30 Buprenorphine HCL 8mg tablets; and #10 Clonidine HCL 0.1mg tablets.

Dr. Kassis scheduled CS # 6's next office visit for September 22, 2017 at 12:00PM. CS # 6 asked how much it would be for his/her visit and Dr. Kassis said \$200. CS # 6 paid Dr. Kassis \$200 in cash. CS # 6 told your affiants that Dr. Kassis put the \$200 into a safe located next to his desk.

Detective Wood went to the Weis Market Pharmacy with CS # 6 and obtained the three prescriptions authorized by Dr. Kassis: Buprenorphine, Oxazepam, and Clonidine. Oxazepam is a schedule IV controlled substance and is considered a benzodiazepine. Clonidine is a medication used to treat high blood pressure. Kassis prescribed these medications without any physical exam or other checks necessary to properly treat a patient.

DANGER OF NARCOTICS PRESCRIBED TO CS # 6

The PA Medical Society and the CDC recognize considerable risks when prescribing an opioid and benzodiazepine together. The Food and Drug Administration has also issued numerous warning to prescribers regarding the mixture of buprenorphine with a benzodiazepine and that such a combination should only be done with particular caution and

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careful counseling with the patient.

Kassis prescribed CS #6 a combination of an opioid (Buprenorphine) and a benzodiazepine (Oxazepam) on his/her first visit without reviewing her medical records or performing any physical examination.

CS # 6 Controlled Buy # 2

On September 22, 2017 at approximately 11:30AM, Detective Lavin and Montgomery County Detective Michael Reynolds met with CS # 6 in preparation for his/her office visit with Dr. Spiro Kassis scheduled at 12:00PM. Detective Lavin provided CS # 6 with the \$200 of US currency needed for the office visit with Dr. Kassis. Detectives Lavin and Reynolds drove CS # 6 to Dr. Spiro Kassis' office located at 40 W. Germantown Pike, East Norriton Township, Montgomery County, Pa. CS # 6 entered the building at approximately 11:52AM.

CS # 6 met with Dr. Kassis in his office at approximately 11:55AM. Dr. Kassis and CS # 6 spoke about how the buprenorphine tablets were working for him/her. Dr. Kassis decided to increase CS # 6's dosage of buprenorphine. Dr. Kassis asked CS # 6 if he/she has been taking the Clonidine. CS # 6 confirmed that he/she was taking the Clonidine. Dr. Kassis said that it was a good drug, but stressed how important it was for CS # 6 to continue to check his/her blood pressure. Dr. Kassis authorized CS # 6 prescriptions for #15 Clonidine HCL 0.1mg tablets, #75 Buprenorphine HCL 8mg tablets, and #30 Oxazepam 15mg tablets. The prescriptions were sent electronically to the Weis Market Pharmacy on W. Germantown Pike in East Norriton Township, Montgomery County, Pa. Dr. Kassis scheduled his/her next office appointment for October 20, 2017 at 12:00PM.

Dr. Kassis did not perform a medical exam on CS # 6. CS # 6 paid Dr. Kassis \$200 for the office visit and left the office at approximately 12:05PM. Dr. Kassis stressed how important it was for CS # 6 to monitor his/her blood pressure, but never checked it himself.

CS # 6 Controlled Buy # 3

On October 20, 2017 at approximately 11:45AM, Detectives Lavin and Wood met with CS # 6 in preparation for his/her office visit with Dr. Spiro Kassis scheduled at 12:00PM.

At approximately 1:00PM, CS # 6 is allowed back to see Dr. Spiro Kassis in his office. Dr. Kassis asked CS # 6 how everything was going and he/she said that he/she still had some pain but was managing. Dr. Kassis decided to refill his/her prescriptions from last time and also adds a prescription for 800mg Ibuprofen. Dr. Kassis confirmed with CS # 6 that he/she was a customer at the Weis Market Pharmacy in East Norriton.

Dr. Kassis learned that CS # 6 did not have any money to pay for the office visit. After some conversation, CS # 6 said that he/she will go to the bank to get the \$200 for the office visit and come back to pay him. However, Detectives Lavin and Wood decided that CS # 6 would not be making the payment for today's visit. Dr. Kassis did not perform a physical exam on CS # 6. Dr. Kassis scheduled CS # 6's next appointment for November 17, 2017 at 12:00PM. CS # 6 left Dr. Spiro Kassis' office at approximately 1:06PM and got back into the car with Detectives Lavin and Wood.

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CS # 6 called the Wels Market Pharmacy in East Norriton and learned that Dr. Kassis authorized the following prescriptions for him/her:

1. #30 Oxazepam 15mg tablets
2. #75 Buprenorphine 8mg tablets
3. #60 Clonidine 0.1mg tablets
4. #60 Ibuprofen 800mg tablets

Kassis continued to not perform any medical exam or check of CS # 6 vitals despite stating specific concerns for his/her blood pressure at previous visits.

CS # 6 Phone Call to Dr. Kassis' Office

On November 17, 2017 at approximately 11:00AM, Detective Lavin and TFO Fallon met with CS # 6 in preparation for a phone call to Dr. Spiro Kassis' office. CS # 6 had an office visit scheduled for today, but the decision was made to have CS # 6 call the office instead in an attempt to have the prescription authorized over the phone.

At approximately 11:15AM, CS # 6 called Dr. Spiro Kassis' office number, 610-277-8000. Dr. Spiro Kassis' office assistant answered the phone. CS # 6 advised the assistant that he/she could not make it to the scheduled appointment today and asked if she could call in the prescription this week. The assistant responded by saying, "Yea, yea, yea, yea." The assistant asked CS # 6 what pharmacy he/she used and what medications he (Dr. Kassis) prescribes him/her. CS # 6 told the assistant that it was the same prescriptions from last time.

The assistant asked CS # 6 if his/her payments were up to date and CS # 6 stated they were. However, CS # 6 did not pay for the last office visit. The assistant asked if CS # 6 wanted to use a credit card or send in a check to cover the payment for today's appointment. CS # 6 said she would send a check. The assistant said that as long as you don't have a back balance that it shouldn't be a problem. The assistant said that the prescription would be sent to the pharmacy before 3:00PM and that if there were any issues she would call CS # 6 back. The conversation then ended. The prescription was never sent to the pharmacy and the assistant never called back.

In Pennsylvania, Title 49, Chapter 16.61, titled "Unprofessional and Immoral conduct" details types of unprofessional conduct for medical doctors that may subject them to disciplinary action, including:

"(17) Abandoning a patient. Abandonment occurs when a physician withdraws his services after a physician-patient relationship has been established, by failing to give notice to the patient of the physician's intention to withdraw in sufficient time to allow the patient to obtain necessary medical care. Abandonment also occurs when a physician leaves the employment of a group practice, hospital, clinic or other health-care facility, without the physician giving reasonable notice and under circumstances which seriously impair the delivery of medical care to patients."

Prescription Drug Monitoring Program (PDMP)

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Pennsylvania established a Prescription Drug Monitoring Program in 2016 which records prescriptions made by a prescriber for Schedule II-V controlled substances. A prescriber may check the system for any patient to see if they are currently being prescribed any controlled substance by any physician in Pennsylvania.

Effective January of 2017, pursuant to 35 P.S. 878.8, all prescribers "shall query the system:

- (1) for each patient the first time the patient is prescribed a controlled substance by the prescriber for purposes of establishing a baseline and a thorough medical record;
- (2) If a prescriber believes or has reason to believe, using sound clinical judgment, that a patient may be abusing or diverting drugs ; or
- (3) each time a patient is prescribed an opioid drug product or benzodiazepine by the prescriber."

The Prescription Drug Monitoring Program is a tool that allows prescribers to check if a patient is "doctor shopping" or receiving multiple prescriptions from other doctors. In addition, by querying the system, physicians can also check if the patient has other active medications. The program provides doctors with an effective tool to protect against pill diversion, identifying if a patient may be abusing medications and a possible check on whether a patient is being truthful about their current medications.

You affiants requested the State Department to check if Kassis had ever queried the PDMP for CS # 5 or CS # 6 before writing prescriptions. Your affiants were informed that Kassis had only checked the PDMP for CS # 5 on his first office visit. Kassis never queried the PDMP, as required by law, at any subsequent time CS # 5 was prescribed opioids. In addition, Kassis never checked the PDMP before prescribing to CS # 6 on any of the occasions detailed above.

Complaint Associated with Dr. Kassis

On December 12, 2017, Scranton Department of State Investigators Maria Hreha and Sherilyn Gillespie attended an interview of Spiro Kassis, M.D. regarding a complaint unrelated to this criminal investigation.

The interview with Kassis revealed information consistent with your affiants' beliefs that he was unlawfully and unethically treating his patients. During the interview with Investigator Gillespie and Hreha, Kassis talked about and admitted the following information:

Kassis continued treats patients at his practice in Norristown- 40 W. Germantown Pike. Kassis identified the phone number for the Norristown practice as 610-277-8000. Kassis also identified his hours of operation at the Norristown practice as being Monday from 11AM to 4PM, Wednesday from 11AM to 5PM, and Friday from 11AM to 3PM. Kassis also indicated he has another medical practice in Scranton, PA.

Dr. Kassis identified and described the duties of several of his employees including an office assistant/secretary and his daughter, Rana Kassis.

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Kassis considers Rana Kassis as a physician in training under him, like a residency. (Your affiants were informed by Pennsylvania State Department Investigators that Rana Kassis' Graduate Medical Trainee license, MT209763, expired June 30, 2016). Kassis authorizes Rana Kassis to speak with patients, relay her findings to Kassis, and then Kassis will authorize (issue) prescriptions. Only Kassis orders prescriptions by using the RxNT device that remains around his neck hanging from a lanyard.

Kassis admitted to seeing patients via video chat or performing visits over the phone. Kassis was asked about treating patients from two separate offices on the same day. Kassis stated that he comes in at 10AM and he only needs 10-15 minutes per patient. Kassis speaks to each patient to make sure everything is fine, meaning they did not relapse, they feel fine, they are taking their medications as prescribed, they are not having any side effects, they have a job, and they are not in crisis. If all of that is fine, Kassis said he will send their prescription electronically. Kassis stated he does not accept insurance, but will assist with prior authorizations to have insurance pay for any medications.

Kassis said neither he nor his staff perform physical examinations, nor do they take vitals. Kassis' reasoning for this is that his office is not a primary care office. If a patient appears to be in distress, Kassis said he will refer them to their primary care doctor or the emergency room.

Kassis talked about a few of his Oxycodone patients and the reasons why they are prescribed that particular drug. Kassis stated that every patient is opiate dependent, so he treats anyone that needs his services. Kassis is aware of the Pennsylvania Prescription Drug Monitoring Program (PDMP) and he is registered; however, he said he delegates this duty to other employees. Furthermore, Kassis said that he is aware of the PDMP requirements, so his office checks each patient at every visit and prior to prescribing controlled substances.

Kassis stated he provides urine drug screenings to all patients on their first visit and then about every month, but they do not discharge patients because of an unfavorable result from the urine sample. Kassis told investigators he will not give up on an addict, but will look to other solutions.

Discrepancies and Issues with Dr. Kassis' Statement

The information provided by the Pennsylvania State Department Investigators certified several issues demonstrated in this affidavit of probable cause while also illuminating new ones.

Kassis confirmed the office does not perform physical examinations, nor do they take vitals. Kassis seems to justify this based on the practice not being a primary care provider. As detailed above, physical examinations are a requirement for Medical Doctors before prescribing a controlled substance in Pennsylvania. In addition, even if Kassis says he relies on primary care providers, in the cases of CS#5 and CS#6, Kassis did not adequately review the medical records or to check to see if their vitals were being monitored by another physician.

Kassis' assertions that the PDMP is checked often is not supported by the findings of

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the DEA task force agents as described above. In addition, Kassis indicated he would designate this duty to other individuals in his practice including Rana Kassis. Your affiants were informed by DEA officials that Rana Kassis was not registered with the PDMP until 12/12/17 (the same day as the interview by PA State Department Investigators). As of 1/2/18, Spiro Kassis hadn't approved the request of Rana's approval which meant she was not capable of querying the system though she had registered.

Kassis also stated that he provides urine drug screens to patients on their first visit and then about every month. This did not occur in the case CS#5 or CS#6. Urine drug screens were not initially performed and were not issued on a monthly basis.

Kassis also indicated that he does not accept insurance. In your affiants training and experience, including collaborating and training through the Attorney General's Pill Diversion Unit, physicians who do not accept insurance and only cash payments are red flags for being a possible pill mill. This should be considered especially true in cases in which patients have insurance readily available as Kassis had indicated when he told investigators that they will assist in prior authorization forms to have their patient's insurance company pay for their medications.

Electronic Surveillance Act

Pursuant to Chapter 57 in the Pennsylvania Crimes Code, Electronic Surveillance was utilized and hereby notice is given to the Defendants prior to any adversarial proceedings.

I, JIM WOOD, BEING DULY SWORN ACCORDING TO THE LAW, DEPOSE AND SAY THAT THE FACTS SET FORTH IN THE FOREGOING AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

Sworn to me and subscribed before me this 14 day of February 2018
2/14/18 Date [Signature], Magisterial District Judge

My commission expires first Monday of January. 2024

SEAL

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BEFORE THE STATE BOARD OF MEDICINE**

**Commonwealth of Pennsylvania
Bureau of Professional and
Occupational Affairs**

vs.

**Spiro Y. Kassis, MD
Respondent**

File No.: 18-49-01513

Docket No: 0380 -49-18

CERTIFICATE OF SERVICE

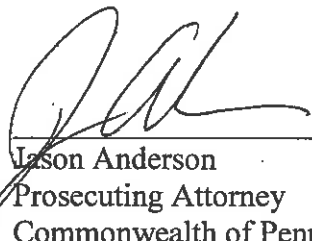
I, Jason Anderson, hereby certify that I have this 20th day of February, 2018 caused a true and correct copy of the foregoing Petition and Order of Immediate Temporary Suspension to be served upon all parties of record in this proceeding in accordance with the requirements of Section 33.31 of the General Rules of Administrative Practice and Procedure, 1 Pa. Code § 33.31 (relating to service by the agency).

PERSONAL SERVICE AND CERTIFIED MAIL, ELECTRONIC RETURN RECEIPT:

Spiro Y. Kassis, MD
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Norristown, PA 19401
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116 Chancery Pl.
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