

Customers' privacy to be protected during Sunshine Pharmacy owners' trial

By LIZ FREEMAN

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FORT MYERS — Sunshine Pharmacy customers and their private information will be protected from disclosure if owner Del Parrish and his mother go to trial on federal charges of health care fraud, court records show.

In a June 17 filing in U.S. District Court in Fort Myers, federal prosecutors and defense attorneys for Parrish, 44, and Patricia Parrish, 73, agreed to a protective order to ensure the confidentiality of victims' personal information.

Parrish and his mother were arrested in May on charges they conspired to commit fraud by submitting false billings to the government-based Medicare, Medicaid and Tricare insurance for the military.

Del Parrish is a licensed pharmacist and founded the privately operated Sunshine in Collier County, which had a half-dozen pharmacy locations a few years ago and now has two locations. His mother worked in billing at the company.

Federal agents raided Sunshine's location at 5480 Rattlesnake-Hammock Road in East Naples in January, following an investigation that began last July.

At a recent status hearing in federal court in Fort Myers, Del Parrish's defense attorney, Yale Freeman, said he hadn't received copies of documents in the government's possession.

A week later, a consent motion for a protective order was filed, which said redacting personal information of individuals would be time-consuming, expensive and would further delay delivery of the documents to the defense.

"The discovery materials in this case are voluminous," the motion said. "The crux of the litigation involves claims submitted to the federal benefits programs. Each of those claims contains an individual's personally identifiable information. In addition, the discovery material includes individuals' medical records, portions of their medical records, and references to such medical records."

Freeman couldn't be reached for comment. Neither could Patricia Parrish's attorneys, Jane and Martin Raskin, of Coral Gables.

George Indest, an Orlando health-care attorney, said such consent motions and protective orders are frequently used to protect the privacy of individuals who aren't parties in cases.

"As a general rule, the confidentiality of individuals is safeguarded and protected in both federal and state court proceedings," Indest said in an email. "Both federal and state agencies involved in such cases are usually sensitive to the issue of patient privacy and are concerned about protecting it."

Indest said most state and federal courts have rules that forbid filing in court "any documents, court pleadings or evidence that might become public that contains any personal identifying information that might be used, for example, by someone seeking to steal their identity."

The case tentatively is scheduled for an August trial docket but is likely to be pushed back. If convicted, the Parrishes could be sentenced to 10 years in prison.

Their arrests were part of a larger federal Medicare fraud sweep across eight cities in May that resulted in 87 other arrests, including doctors, nurses and other health-care professionals.

An employee told authorities the Parrishes falsified prescriptions from doctors, and that Patricia Parrish had a book containing hospital patients' credit card information.

Both Parrishes were released on bond. Del Parrish is forbidden from working in a pharmacy. His mother is allowed to continue working in the pharmacy at the counter but isn't allowed to be involved in billing or have contact with anyone in billing.

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