

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

FILED

2019 SEP 23 P 12:22

UNITED STATES OF AMERICA)
)
v.)
)
FRANK MCNIEL)
)
)

No. 3:19-CR- 170

JUDGES Varlan / Poplin DEPT. CLERK

U.S. DISTRICT COURT
EASTERN DIST. TENN.

INFORMATION

The U.S. Attorney charges:

GENERAL ALLEGATIONS

At all times material to this Information:

1. The Controlled Substances Act (“CSA”) governs the manufacture, distribution, and dispensing of controlled substances in the United States.

2. The CSA and its implementing regulations set forth which drugs and other substances were defined by law as “controlled substances,” and assigned those controlled substances to one of five Schedules (Schedule I, II, III, IV, or V) depending on their potential for abuse, likelihood of physical or psychological dependency, accepted medical use, and accepted safety for use under medical supervision.

3. A controlled substance assigned to Schedule II meant that the drug had a high potential for abuse which may lead to severe psychological or physical dependence. Oxycodone HCL was classified as a Schedule II drug.

4. Under the CSA, Title 21, United States Code, Section 841(a) et seq., and Title 21, Code of Federal Regulations, Section 1306.04, a prescription for a controlled substance is not legal

or effective unless issued for a legitimate medical purpose by a practitioner acting in the usual course of professional practice.

COUNT ONE

On or about the date listed below, within the Eastern District of Tennessee, the defendant FRANK MCNIEL, a licensed medical doctor, did knowingly and intentionally distribute and dispense, and cause to be distributed and dispensed, not for a legitimate medical purpose and outside the scope of professional practice, oxycodone, a Schedule II Controlled Substance:

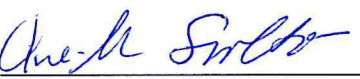
Count	Controlled Substance	Quantity	Strength (MG)	"Patient"	Date
1	Oxycodone HCL	100	30	G.G.	10/11/16

[21 U.S.C. §§ 841(a)(1), 841(b)(1)(c)]

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