Dr. Paul Heberle has lost his emergency room job at Millcreek Community Hospital and the lease for his medical practice while awaiting trial on Medicare fraud charges, which could bring him up to 22 years in prison if he's convicted.

Heberle, of Edinboro, still sees a few patients - often by unpaid house calls - and is buoyed by supporters who hosted a fundraiser Saturday to help pay for his legal defense.

"I still have my medical license, my license to prescribe (narcotics) and malpractice insurance, so I have a legal right to see patients," Heberle told the Erie Times-News in an interview at his attorney's office.

He also has a court date on Aug. 17, when a district judge must determine whether he should stand trial on 15 counts of violating state drugs laws and 13 counts of Medicaid fraud for allegedly writing $163,548 worth of unnecessary prescriptions for Medicaid patients.

State drug agents started investigating Heberle after a patient died in January of an apparent overdose of the painkiller fentanyl. Heberle contends the patient ripped open and ate a time-release patch that contained a two- to three-day supply of medicine.

Erie County District Attorney Brad Foulk said area pharmacists reported that Heberle was over-prescribing drugs including OxyContin, a powerful and often abused painkiller. Heberle also prescribed drugs without examining the patients, which is illegal, Attorney General Tom Corbett said.

Despite the charges, some of Heberle's patients believe that he is their only hope. Norman Allen, 59, wears a patch that dispenses the powerful painkiller fentanyl to help him cope with a 15-year-old back injury.

"I've tried to go to other doctors, but they refuse to see me as soon as I tell them I'm one of Dr. Heberle's patients," Allen said.

Heberle said he never prescribed painkillers that were not necessary.

"If I found out that someone was selling the drugs I prescribed, I kicked them out. I didn't tolerate any of that," Heberle said.
Heberle is still seeing a couple of patients a day, but he doesn't charge them and isn't filing paperwork for insurance payments because he doesn't have access to the proper forms.

"I really don't have any income coming in. I'm in the process of selling my house and I'll have to give up my car, too," Heberle said.

Heberle's defenders acknowledge that many of his patients had previously been treated by another Erie doctor, David Klees, who was sentenced in January to 13 to 29 years in prison for writing illegal painkiller prescriptions. Two of Klees' patients died, but supporters of Heberle contend that he simply continued helping people that had been seeing Klees for their chronic pain.

Heberle said he wouldn't have run his medical practice any differently.

"The first attorney told me to just get rid of my pain patients," Heberle said. "So I saw another attorney."

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