

## **Pain Doctor Loses License, but Gets No Jail Time - At One Point, Dr. Cecil Knox Faced More Than 300 Charges Related To Illegally Dispensing Drugs**

Lindsey Nair; [The Roanoke Times](#); 2006-01-21; Posted: 2006-01-24

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ABINGDON -- Roanoke pain doctor Cecil Knox was stripped of his right to practice medicine and sentenced to five years of probation Friday, marking the end of what has been called both a legitimate prosecution and an unnecessary persecution.

The conclusion came as a relief to many in the packed federal courtroom, but outside, both camps still expressed regrets -- that loved ones who died were not around to see the day, and that chronic pain patients no longer have a physician they can trust.

"The ordeal is finally behind me," Knox said, "but it is not finished for the patients."

John Brownlee, U.S. Attorney for the Western District of Virginia, said he believes Knox knows "in his heart of hearts" what he did.

"I think the community is safer today now that Dr. Knox is not a doctor," Brownlee said.

Knox was first indicted in February 2002, along with his practice, his former office manager, Beverly Boone, and two employees. His charges included prescribing controlled substances such as the painkiller OxyContin outside the scope of legitimate medical practice, and the government said Knox's irresponsible behavior led to injury or death to patients.

At one point, he faced more than 300 charges.

Knox's October 2003 trial ended with not guilty verdicts on about half the charges. The jury was hung on the rest. Boone was acquitted.

A few months later, Knox and Boone were indicted a second time, but Knox's battle with non-Hodgkin's lymphoma delayed the trial.

Knox's illness eventually went into remission, but before the second trial, he decided to plead guilty to felony racketeering, two counts of felony marijuana distribution and misdemeanor health care fraud.

Charges against Boone and the other employees, with the exception of Tiffany Durham, who pleaded guilty, eventually were dropped. Durham has not yet been sentenced. [Facing life in prison for multiple felonies, all charges were eventually dismissed in exchange for her cooperation with the government: "[Charges Against Knox Aide Dropped](#)" L. Nair; Roanoke Times; 2006-01-24]

A disagreement between the prosecution and defense created some anxiety as Friday's sentencing kicked off. Knox believed his plea agreement did not include the possibility of jail time, while the government thought he could potentially receive up to 12 months in jail.

U.S. District Judge James Jones ruled quickly on the disagreement, saying he favored the government's position.

Arguing for jail time, prosecutor Tom Bondurant said the doctor was essentially a drug dealer, and drug dealers usually face incarceration. He also pointed out that Knox's deceased patients were not there to testify for themselves.

But defense attorneys John Lichtenstein and Tony Anderson said Knox was a more caring doctor than many, adding that a jury chose not to find him guilty after the first trial. Because Knox faces a life-threatening disease, they said, probation would be the best option for him.

Before Jones pronounced sentencing, Knox addressed the court.

"I would like the opportunity to speak to you from my heart," he said, telling Jones that he's had a hard time understanding the charges against him. "If ever there were errors made, they were made with the intentions of trying to ease my patients' suffering and prolong their lives."

Jones said he had no doubt that neither side would be completely satisfied with his decision. But he stressed that the government succeeded in removing Knox from medical practice while Knox, in turn, avoided jail time.

As part of the plea agreement, Knox voluntarily surrendered his medical license to the state of Virginia and his registration number for prescribing medicine to the Drug Enforcement Administration.

In a letter to Jones, William Harp, executive director for the Virginia Board of Medicine, wrote: "In my opinion, the citizens of Virginia are well-served by the removal from practice of a physician who has engaged in the illegal distribution of controlled substances as well as billing fraud."

But Harp said Thursday that a physician convicted of a felony who has his license mandatorily suspended can reapply for the license as early as the next meeting of the

board. And Laura DiCesare with the DEA said a doctor in that situation can also reapply for his registration number.

Knox, who is now working as a cobbler at Shafer's Shoe Repair in Roanoke, said it was too early to comment on that issue.

"I think that his goal all along has been at some point, when he gets his health concerns under control, to return to the practice of medicine," Anderson said.

Tammy Walton, who attended the sentencing, blames Knox for her late brother's poor quality of life in his final years. She said Knox got off too lightly but was gratified that he lost his medical license.

"When you realize what he gave up, I think that is what is so important," she said. "And really, he gave it up for his freedom."

Faron Kidd, whose brother, Monte Kidd, died four years ago, agreed that Knox's sentence was not strict enough. Monte Kidd was Knox's patient.

"Dr. Knox has had four more years than my brother did," he said.

But others who attended the hearing crowded around Knox afterward, hugging him and shaking his hand.

Tom Ballard and Rick Dudding credit Knox with saving them from debilitating pain. Dudding says it was Knox who helped him to walk again.

"They say he hurt people. He didn't hurt people; he's got a heart bigger than this world," Dudding said.

Many former patients said they cannot find a good pain specialist now that Knox has been prosecuted.

"Nobody wants to handle chronic pain because of this," Ballard said.

It's because of that, Knox said, that he does not feel completely vindicated.

"When I see all patients able to exercise their right to appropriate pain management," he said, "I will feel like this has been a small step toward that victory."

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