

## Report on Medicare Compliance Volume 28, Number 17. May 06, 2019 News Briefs: May 6, 2019

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◆ **The founder and four former executives of Insys Therapeutics Inc., makers of sublingual fentanyl spray, were convicted by a jury in Boston for their role in a bribery scheme and for defrauding Medicare and private insurers, the U.S. Attorney’s Office for the District of Massachusetts said May 2.** John N. Kapoor, the Insys founder and former executive chairman; Richard M. Simon, the former national director of sales; Sunrise Lee, a former regional sales director; Joseph A. Rowan, a former regional sales director; and Michael J. Gurry, the former vice president of managed markets, were convicted of Racketeer Influenced and Corrupt Organization Act conspiracy. Before the trial started, two other Insys executives pleaded guilty. According to the U.S. attorney’s office, the defendants conspired to induce physicians to get them to order the fentanyl spray, Subsys, often when it wasn’t medically necessary. Subsys is an opioid-based pain medication intended for cancer patients suffering breakthrough pain. The defendants used different methods to pay bribes and kickbacks, the U.S. attorney’s office said. One was a speaker’s program that was supposedly designed to heighten brand awareness of Subsys through educational meals. “However, the programs were used as a vehicle to pay bribes and kickbacks to targeted practitioners in exchange for increased Subsys prescriptions and increased dosage. In most instances, the programs were shams,” the U.S. attorney’s office said. Visit <http://bit.ly/2Jc0CAR>.

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