

Families hoping for justice from prescription bribes trial

New Jersey woman died after Subsys overdose

By ALANNA DURKIN RICHER
Associated Press

BOSTON — Drug company executives weren't satisfied with sales for their powerful painkiller, so they devised a plan, prosecutors say: Offer cash to doctors in exchange for prescriptions. Soon, the highly addictive fentanyl spray was flourishing, and executives were raking in millions.

Now, the company's wealthy founder is heading to trial in a case that's putting a spotlight on the federal government's efforts to go after those it says are responsible for fueling the deadly drug crisis.

"It really is a day of reckoning," said Richard Hollowell, an attorney for the parents of a New Jersey woman who died of an overdose in 2016 after she was prescribed Subsys, a drug meant for cancer patients with severe pain.

John Kapoor, the wealthy founder and former chairman of Chandler, Arizona-based Insys Therapeutics Inc., is the highest-ranking pharmaceutical company figure to face trial amid the opioid epidemic that's claiming thousands of lives every year.

The 75-year-old, who resigned from the company's board of directors after his arrest, and the four other



AP Photo/Julio Cortez
Deborah Fuller poses for a photograph with a pillow showing a photo of her late daughter, Sarah Fuller, left, who died of a prescription drug overdose, and her during an interview in her home in West Berlin, N.J.

former Insys employees being tried alongside him are charged with racketeering conspiracy. Kapoor has said he committed no crimes and believes he will be vindicated at trial, which begins Monday in Boston's federal court.

But two of his top lieutenants, including the company's former chief executive, are now cooperating with prosecutors and are expected to tell jurors that Kapoor directed the scheme to boost profits.

Massachusetts is one of many states where Insys did business, but the state's U.S. attorney's office is known for its success in complex health care cases.

Kapoor's arrest in 2017 came the same day Republican President Donald Trump declared the opioid crisis a public health emergency. And prosecutors have touted the case against Kapoor and

other Insys executives as illustrative of their work to fight the drug epidemic.

Kapoor's lawyers, meanwhile, have blasted prosecutors for trying to link Insys to the drug crisis, accusing them of trying to poison the jury pool and noting that Subsys makes up a small fraction of the prescription opioid market.

"Despite these uncontested facts, the government continues to perpetuate a false narrative in its public pronouncements about this case," his lawyers wrote in court documents.

The judge has since prohibited both sides of the case from talking to the news media.

Several Insys employees and doctors have already been convicted in other cases of participating in a kickback scheme. A number of states have sued the company,



AP Photo/Julio Cortez
A small memorial in honor of Sarah Fuller, who died of a prescription drug overdose, is displayed in the yard of her mother Deborah Fuller's home in West Berlin, N.J.

which also agreed last year to pay \$150 million to settle a federal investigation into inappropriate sales.

Prosecutors say Insys targeted doctors across the country known for prescribing large numbers of opioids and paid them bribes and kickbacks that were disguised as speaking fees for events billed as opportunities for physicians to learn about the drug.

Insys staffers also misled insurers about patients' medical conditions and posed as doctors' office employees in order to get payment approved for the costly drug, prosecutors allege.

Lawsuits filed against the company say patients were given high doses of the potent narcotic even though they didn't have cancer, weren't

warned of the risks and became addicted before suffering through withdrawal when they were cut off.

"These are normal, everyday, hardworking people who go to a pain clinic because they are suffering from chronic pain and they fell into this trap," said Michael Rainboth, a New Hampshire attorney who has brought several cases against Insys.

Sarah Fuller was being treated for fibromyalgia and back pain when an Insys sales representative and her doctor met with her at her doctor's New Jersey office to persuade her to begin taking Subsys, according to a lawsuit her parents filed against Insys, Kapoor and others.

In an order to get Fuller approved for the drug, an

Insys employee duped the pharmacy benefit manager into believing that the employee worked for the doctor's office and that Fuller was suffering from cancer pain, the lawsuit says.

Fuller died of an overdose a little over a year later at age 32.

"Sarah didn't have cancer, so there was no reason for her to have been on it," said her mother, Deborah Fuller. "There are a lot of things she should have been able to do, but her life was cut short by people who just don't care," she said.

Fuller's doctor isn't accused of getting kickbacks and hasn't been criminally charged. But she lost her license after state officials found she was "indiscriminately" prescribing the drug to patients without cancer.

Prosecutors allege the poorly attended speaking events were merely an excuse for doctors and their friends to have a fancy free meal. One New York doctor charged with getting kickbacks is accused of using marijuana and cocaine before and during some of the speaker programs he led.

They "do not need to be good speakers, they need to write a lot of ... (prescriptions for the fentanyl spray)," former Insys sales executive Alec Burlakoff told a colleague, according to court documents. Burlakoff pleaded guilty and is expected to testify against Kapoor during the monthslong trial.

Frazier Office Supply under new ownership

By ANTONIO SIERRA
East Oregonian

Frazier Office Supply has long had the slogan "Our Business is taking care of your Business" emblazoned across one of its walls, and its new owners have no intention of taking it down.

The 227 S. Main Street store is under new management, but owners Kris and Stephanie Smith are taking an "if-it-ain't-broke-don't-fix-it" approach to a business that's been in Pendleton for more than 100 years.

Kris Smith said he knew former owners Ron and Debbie Bates both socially and through his old job at Pioneer Title & Escrow, which ordered supplies through Frazier.

When Ron first brought up selling Frazier, Smith thought he was joking. But eventually, the Smiths got serious about acquiring the store.

"He threw out the bait and I took it," Smith said.

The two couples started talking in April, and on Jan. 2 the Smiths were the newest owners of the venerable business.

Smith said regular cus-



Staff photo by Antonio Sierra
Frazier Office Supply co-owner Kris Smith stands in his store in Pendleton Friday.

tomers are still getting used to seeing his face when they come into the store, but the transition is smoothed by Frazier's veteran three-person work crew, which includes 15-year employee Lorrie Rigdon.

Frazier has managed to withstand the rise of big box stores and internet retailers as Main Street has become more geared toward restaurants and tourism-friendly businesses.

Smith said his plan to keep Frazier open for years to

come is to keep executing its existing business model.

While Frazier isn't able to sell supplies in large volumes, Smith said he can get most products to his clients within a day and there's a built-in knowledge on customer orders that bigger retailers don't have.

Frazier delivers to both Pendleton and Hermiston, and Smith said there's a desire for many Umatilla County businesses to buy locally, a trend he doesn't see going away.

Watch out for Pacific Power scam alert

PENDLETON — Pacific Power cautions Pendleton-area businesses to be aware of possible scam calls.

It has been reported that scammers are calling businesses in Pendleton and threatening to discon-

nect the power unless payment for an overdue bill is made immediately. Pacific Power urges those who may receive such calls to refrain from making arrangements for a payment. People should make note of the callback number. After

hanging up, Pacific Power asks people to call the company's toll-free number at 1-888-221-7070.

For more information about recent scams targeting utility customers, visit www.pacificpower.net/scam.

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