



Office of the Special Narcotics Prosecutor For the City of New York  
Bridget G. Brennan, Special Narcotics Prosecutor

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## Pharmacist Arrested in Diversion of 5,000 Oxycodone Pills Worth up to \$150,000 from a Pharmacy in Bensonhurst, Brooklyn

Bridget G. Brennan, New York City's Special Narcotics Prosecutor, Keith G. Kruskall, Acting Special Agent in Charge of the U.S. Drug Enforcement Administration's (DEA) New York Division, New York State Medicaid Inspector General Dennis Rosen and Brooklyn District Attorney Eric Gonzalez announced today the arrest of pharmacist HOI IN MUI, aka "Annie," for allegedly diverting thousands of oxycodone pills from the Brooklyn pharmacy where she was employed to the black market and for forging prescriptions.

As a result of an investigation by the Office of the Special Narcotics Prosecutor's (SNP) Prescription Drug Investigation Unit (PDIU), DEA Diversion Group D-62 and the Office of the Medicaid Inspector General (OMIG), MUI, a licensed pharmacist since 2003, was arrested yesterday morning at approximately 10:45 a.m. in front of her home at 242 Bay 11<sup>th</sup> Street in Brooklyn. A criminal complaint charges MUI with ten counts of Criminal Possession of a Controlled Substance in the Third Degree and eight counts of Criminal Possession of a Forged Instrument in the Second Degree. She was arraigned last night in Manhattan Criminal Court and was released on bail.

As alleged in the criminal complaint, MUI exploited her position as a pharmacist at UHealthy Pharmacy, located at 2263 86<sup>th</sup> Street in Bensonhurst, to order 5,000 oxycodone 30 mg pills, an addictive opioid painkiller, for the purposes of selling the pills. In an attempt to cover up this diversion, MUI allegedly produced eight forged prescriptions. The oxycodone pills carried an estimated \$150,000 street value.

Suspensions of alleged criminal activity were aroused on September 11, 2017 and March 8, 2018, when OMIG inspectors conducted two inspections of UHealthy and noted discrepancies in the pharmacy's controlled substance records and inventory. OMIG inspectors, who are registered pharmacists, routinely perform inspections when pharmacies apply for enrollment in the New York State Medicaid Program. The goal of these inspections is to ensure that the applicant pharmacy and staff are compliant with all federal and state regulations pertaining to health and safety and the proper recordkeeping for controlled substances, such as opioids.

Upon the inspectors noting the discrepancies, OMIG referred the investigation to DEA Diversion Group D-62, which in turn partnered with SNP's Prescription Drug Investigation Unit. The investigation

involved an extensive review of records and interviews with multiple witnesses. OMIG also made a referral to the New York State Office of Professional Discipline.

At the first inspection of UHealthy on September 11, 2017, an inspector noted the pharmacy had recorded filling eight prescriptions for oxycodone 30mg for a total of 1,140 pills two days prior. Pharmacies are required by law to keep the actual prescriptions on file. Yet when the OMIG inspector asked to see the prescriptions, MUI allegedly reported they were at her home. MUI left briefly and returned with eight prescriptions, all numbered sequentially and purportedly issued by the same physician, a family practitioner with an office in Brownsville, Brooklyn. Each prescription bore a different patient name, but the same date, September 9, 2017.

During a second OMIG inspection of UHealthy on March 8, 2018, an inspector reviewed records of several official DEA forms used to order controlled substances. The forms showed 5,000 pills of oxycodone 30mg had been ordered by UHealthy and delivered by a pharmaceutical distributor on five dates between May and September of 2017. However, no oxycodone 30mg pills were present at the pharmacy.

Upon a review of records maintained by the New York State Health Department, Bureau of Narcotic Enforcement (BNE), SNP PDIU investigators learned the eight oxycodone prescriptions purportedly filled by UHealthy had not been entered into the New York State Health Department's Internet System for Tracking Over-Prescribing – Prescription Monitoring Program (I-STOP/PMP).

The investigation revealed that UHealthy did not typically stock or dispense oxycodone. Additionally, handwriting on the eight prescriptions appeared identical to handwriting on the DEA forms used to order the 5,000 oxycodone pills. Ultimately, investigators determined the prescriptions had been forged.

Special Narcotics Prosecutor Bridget G. Brennan thanked her office's Prescription Drug Investigation Unit, Brooklyn District Attorney Eric Gonzalez, DEA Diversion Group D-62, the Office of the Medicaid Inspector General and the New York State Department of Health, Bureau of Narcotic Enforcement.

"Pharmacists serve a vital gatekeeping function in preventing the illegal diversion of opioid medication. As demonstrated by this investigation, we are committed to prosecuting unscrupulous licensed professionals who flood the black market with addictive legal drugs," said Special Narcotics Prosecutor Bridget G. Brennan. "I commend the Office of the Medicaid Inspector General and the DEA for conducting careful inspections that identified irregularities at the pharmacy."

"As part of drug law enforcement, investigators conduct regulatory inspections of DEA registrants," said Acting Special Agent in Charge Keith G. Kruskall. "This arrest was a result of catching a pharmacist in the act after records and inventory were askew. Opioid distributors have a knack for hiding in plain sight and this is one more example of the pervasiveness of opioid demand."

New York State Medicaid Inspector General Dennis Rosen said, "As part of our ongoing efforts to address the opioid crisis, my office will continue to work closely with the Special Narcotics Prosecutor's Office and our local, state and federal partners to hold wrongdoers fully accountable."

"This pharmacist, who should have been a trusted medical professional, allegedly took advantage of her position to exploit the opioid crisis for her personal profit. I commend the law enforcement team that uncovered this alleged criminal scheme and will now seek to bring her to justice," said Brooklyn District Attorney Eric Gonzalez.

<b>Defendant</b>	<b>Charges</b>
Hoi In Mui Brooklyn, NY 4/1/1977	CPCS 3 <sup>rd</sup> – 10 cts Criminal Possession of a Forged Instrument 2 <sup>nd</sup> – 8 cts

The charges and allegations are merely accusations and the defendant is presumed innocent until proven guilty.