



## Opioids and Medical Licensure Risks

A recent case underscores that when it comes to medical license risks, doctors have more than just a fine to worry about.

On October 18, 2017, the New Jersey State Board of Medical Examiners filed an administrative action against Kenneth Sun, MD, who allegedly took kickbacks from Insys Therapeutics, Inc. to boost sales in exchange for prescribing the highly addictive, fentanyl-based painkiller Subsys. In December 2016, the Medical Board temporarily suspended his license.

Now, just weeks after New Jersey filed suit against a multitude of opioid manufacturers, the state is now moving to revoke Sun's medical license. More than 775 Subsys prescriptions were written by Sun from 2012 through 2016, which generated more than \$4.8 million in revenues for Insys. In turn, Sun earned \$136,768 in compensation from the drug company.

What are the takeaways for physicians? First, government entities and individuals utilizing powerful law firms are filing suits related to the opioid epidemic across the country. Second, the recent DOJ "round-up" included individual physicians. Finally, physicians cannot undue what prescriptions they have written in the past; however, they can move forward and assess policies, procedures and medical necessity in relation to opioid prescriptions.

(Source: Rose, R. V. *Physicians Practice*, October 26, 2017.)