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For Immediate Release

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**SETTLEMENT REACHED WITH TEMPLE UNIVERSITY HEALTH SYSTEM OVER
DIVERSION OF CONTROLLED SUBSTANCES**

PHILADELPHIA - The Temple University Health System ("TUHS"), today, agreed to pay \$130,000 to the U.S. government for failing to keep proper receiving, dispensing and inventory records of controlled substances, and failing to take effective precautions to prevent theft or loss of controlled substances, announced United States Attorney Zane David Memeger. In addition, TUHS agreed to implement a detailed Compliance Assessment Plan to review and monitor its policies and procedures relating to controlled substances.

"Hospitals must have effective controls to prevent and detect drug diversion, in order to prevent people from suffering significant physical harm, addiction or death when they use controlled substances without appropriate supervision from their doctor," Memeger said.

In 2004, Temple University Hospital's lack of control over controlled substances allowed its then chief resident of anesthesiology to steal 107 vials of Ketamine and smaller amounts of Fentanyl, Midazolam and Morphine. The resident doctor, who attempted to sell the drugs to an undercover Drug Enforcement Administration (DEA) operative, was charged and convicted. In addition, from January 2007 to February 2007, an anesthesiologist at Jeanes Hospital, a Temple University Health Systems facility, manipulated the computerized controlled substance distribution system to extract 35 vials of Fentanyl and five vials of Morphine for his own personal use.

DEA Special Agent in Charge John J. Bryfonski stated, "The public expects our health professionals to honor their oath and follow both regulations and the law to assure the health and safety of the people they treat. When these professionals depart from their oath and the law by diverting controlled substance-pharmaceuticals from legitimate medical uses to illegal uses, DEA will investigate and hold them accountable."

Following these thefts, DEA audited five Temple University Health Systems facilities and found that the hospital failed to keep dispensing records for certain controlled substances; failed to note on the required DEA form the number of packages of controlled substances the pharmacy received and the date it received them; failed to verify the amount of controlled substances

coming into the pharmacy on each invoice; and kept inaccurate inventory of certain controlled substances.

TUHS voluntarily initiated changes to their drug dispensing system, to provide stricter measures for accessing the medication and frequent counts of the facilities' inventory. In addition to the monetary settlement, TUHS agreed to implement an innovative Compliance Assessment Plan whereby an independent consultant will survey the Temple facilities and recommend remedial changes as necessary. The agreement requires TUHS to report to DEA discrepancies revealed during these audits.

This resolution is part of the Eastern District of Pennsylvania's Special Focus team Health Care Fraud initiative.

The case was investigated by DEA Philadelphia Division Diversion Group. The case was handled by Assistant United States Attorney Susan R. Becker, Auditor Allison Barnes and Healthcare Fraud Consultant Ray Uhlhorn.

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