

BEFORE THE INDIANA
BOARD OF PHARMACY
CAUSE NUMBER: 2013 IBP 0024

IN THE MATTER OF THE INDIANA)
NON-RESIDENT PHARMACY LICENSE OF:)
ANEWrx)
LICENSE NUMBER: 64001058A.)



**FINAL ORDER ACCEPTING PROPOSED FINDINGS OF FACT, CONCLUSIONS OF
LAW AND ORDER**

The State of Indiana (“Petitioner”), by the Office of the Attorney General, by Deputy Attorney General Darren R. Covington and ANEWrx (“Respondent”), signed a Proposed Settlement Agreement (“Agreement”) which purports to resolve all issues involved in the action by the Petitioner and the Indiana Board of Pharmacy (“Board”) regarding the Respondent’s license, and which Agreement has been submitted to the Board for approval.

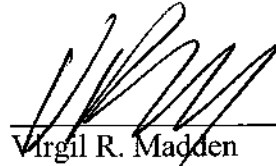
The Board, after reviewing the Agreement at the April 8, 2013, meeting held in Room W064 of the Indiana Government Center South, 402 West Washington Street, Indianapolis, Indiana 46204, now finds it has been entered into fairly and without fraud, duress, or undue influence, and is fair and equitable between the parties. The Board hereby incorporates the Agreement, which is attached hereto and incorporated herein as Exhibit A, and approves and adopts in full the Agreement as a resolution of this matter. The Board approved this Agreement by a vote of 6-0-0. Incorporated into the Agreement was the consensus of both parties to Findings of Fact, Conclusions of Law and Order.

WHEREFORE, the Board hereby accepts and approves the Agreement, settling all matters in this case consistent with the terms of the Agreement between the parties, and Respondent is hereby **ORDERED** to abide by all the terms of the Agreement.

ORDERED, this 18 day of April, 2013.

INDIANA BOARD OF PHARMACY

By:



Virgil R. Madden
Executive Director
Indiana Professional Licensing Agency

CERTIFICATE OF SERVICE

I certify that a copy of the "Final Order Accepting Proposed Findings of Fact, Conclusions of Law, and Order" has been duly served upon:

ANEWrx
523 Parkway View Dr.
Pittsburgh, PA 15205
Service by U.S. Mail

Darren R. Covington, Deputy Attorney General
Office of the Indiana Attorney General
Indiana Government Center South
302 West Washington Street, Fifth Floor
Indianapolis, IN 46204
Service by E-Mail

4/18/13
Date

Jackie Day
Jackie Day

Indiana Board of Pharmacy
Indiana Government Center South
402 West Washington St., Room W072
Indianapolis, IN 46204
Phone: 317-234-2067
Fax: 317-233-4236
Email: pla4@pla.in.gov

Explanation of Service Methods

Personal Service: by delivering a true copy of the aforesaid document(s) personally.

Service by U.S. Mail: by serving a true copy of the aforesaid document(s) by First Class U.S. Mail, postage prepaid.

Service by Email: by sending a true copy of the aforesaid document(s) to the individual's electronic mail address.

BEFORE THE INDIANA
BOARD OF PHARMACY
2013 IBP 0024

IN THE MATTER OF THE INDIANA)
NON-RESIDENT PHARMACY LICENSE OF)
ANEWrx)
LICENSE NUMBER 64001058A (ACTIVE))



PROPOSED SETTLEMENT AGREEMENT

The State of Indiana (Petitioner), by Darren R. Covington, Deputy Attorney General, and ANEWrx (Respondent), hereby execute this Agreement to a disposition of the Complaint filed in this cause. This Agreement is subject to the review and approval of the Indiana State Board of Pharmacy (Board) pursuant to Ind. Code § 25-1-9 et seq. and the Administrative Orders and Procedures Act, Ind. Code § 4-21.5-3 et seq.

STIPULATED FACTS

1. Respondent's address on file with the Indiana Professional Licensing Agency is 523 Parkway View Drive, Pittsburgh, Pennsylvania, 15205.
2. Respondent is a licensed non-resident pharmacy in the State of Indiana having been issued license number 64001058A on March 9, 2010.
3. At all times relevant herein, William Sadowski was the Chief Executive Officer and co-owner of Respondent.
4. Respondent is engaged in the business of distributing anabolic steroids and human growth hormones (HGH).

EXHIBIT A

5. Pursuant to Title 21 of the United States Code, Sections 841(a)(1) and 846, HGHs are not permitted for anti-aging, body building or athletic performance enhancement purposes.

6. Respondent, through Sadowski, engaged in an illegal scheme with a local Pennsylvania physician to prescribe and dispense anabolic steroid and HGH cocktails for unauthorized uses.

7. Sadowski inflated the price of these cocktails for the physician's patients, and gave the price difference to the physician as a kickback. In addition to other compensation, the physician received over \$493,000 in salary from Respondent.

8. Respondent also had business relationships with three clinics in Florida to fill prescriptions for anabolic steroids and HGHs, even though Respondent had affirmative knowledge that the physicians at these clinics were not examining the patients.

9. Furthermore, Respondent had a buy/sell agreement with Applied Pharmacy in Mobile, Alabama and a pharmacist employed there. After the pharmacist was indicted for illegal steroid distribution, the pharmacist referred approximately twenty physicians to Respondent to have their prescriptions for anabolic steroids and HGHs filled. Respondent paid this pharmacist a commission for each referral received.

10. On or around October 16, 2012, Sadowski was indicted in United States District Court, Western District of Pennsylvania, with one count of Conspiracy to Distribute Controlled Substances – Anabolic Steroids.

11. On or around November 5, 2012, Sadowski pled guilty to one count of Conspiracy to Distribute Controlled Substances – Anabolic Steroids.

STIPULATED CONCLUSIONS OF LAW

The parties further stipulate:

Respondent violated Ind. Code § 25-1-9-4(a)(3) in that Respondent has knowingly violated Title 21, United States Code, Sections 841(a)(1) and 846 as evidenced by the fact that Respondent engaged in a scheme to inappropriately distribute anabolic steroids and HGHs.

AGREED DISPOSITION

It is now therefore agreed by the Respondent and Petitioner as follows:

1. The Board has jurisdiction over the Respondent and the subject matter in this disciplinary action.
2. The parties execute this Agreement voluntarily.
3. Both parties voluntarily waive their rights to a public hearing on the Complaint.
4. Petitioner agrees that the terms of this Agreement will resolve any and all pending claims or allegations relating to disciplinary action against the Respondent's Indiana pharmacy license.
5. Respondent's Indiana pharmacy license shall be **REVOKED**.
6. Within thirty (30) days of the date of the Board's Order, Respondent shall, pursuant to Indiana Code 4-6-14-10 (b), pay a fee of Five Dollars (\$5.00) within thirty (30) days of the date of the Final Order in this matter, to be deposited into the Health

Records and Personal Identifying Information Protection Trust Fund. This fee shall be paid by check or money order made payable to the State of Indiana, and submitted to the following address:

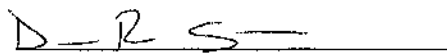
Indiana Office of the Attorney General
Attn: Katherine Lee
302 West Washington Street, 5th Floor
Indianapolis, IN 46204

7. The Respondent has carefully read and examined this Agreement and fully understands its terms and that, subject to a final order issued by the Board, this Agreement is a final disposition of all matters and not subject to further review.



Representative for ANEWrx
Respondent

4-5-13
Date



Darren R. Covington
Deputy Attorney General
Atty. No. 28511-16

4/5/13
Date