

Office of the Special Narcotics Prosecutor for the City of New York

Bridget G. Brennan, Special Narcotics Prosecutor

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Astoria doctor indicted in illegal sales of 130 painkiller prescriptions: Three patients received 30,000 pills in 6 months

BRIDGET G. BRENNAN, New York City's Special Narcotics Prosecutor, James J. Hunt, Special Agent in Charge of the U.S. Drug Enforcement Administration's (DEA) New York Division, announced today the arrest and indictment of Dr. DAVID DUFFY on charges he illegally sold 130 prescriptions for oxycodone, a highly addictive opioid painkiller.

DUFFY, an internal medicine practitioner who retired in June 2013, was arrested this morning at his home at 2712 Bayside Lane in Murray Hill, Queens. He is expected to be arraigned later today in Manhattan Supreme Court before Judge James Burke, Part 22, 111 Centre St., 9th floor.

Licensed to practice in New York from July 1972 to March 2015, DUFFY surrendered his DEA registration, which permitted him to write prescriptions for controlled substances, in May 2014. He faces 130 counts of Criminal Sale of a Prescription for a Controlled Substance. The case was investigated by the Special Narcotics Prosecutor's Prescription Drug Investigation Unit and the DEA's Long Island Tactical Diversion Squad, which is comprised of agents and officers of the DEA, the Nassau County Police Department, the Rockville Centre Police Department and the Port Washington Police Department.

Charges in the indictment stem from DUFFY's alleged gross overprescribing to three patients at his former medical office at 27-10 30th Avenue in Astoria, Queens during the six months before his retirement. DUFFY wrote 130 prescriptions for more than 30,000 oxycodone pills for these three patients – the equivalent of approximately 55 oxycodone pills per patient per day for 181 days straight. One patient received approximately 87 oxycodone pills per day during this period, including 15 oxycodone prescriptions for a total of 3,660 pills in just one month.

Between January 2010 and June 2013, DUFFY wrote 585 prescriptions for 127,384 oxycodone pills to the same three patients – a rate of approximately 41 pills per patient per day for 1,033 days.

DUFFY habitually saw patients multiple times each month and is charged with knowingly writing new oxycodone prescriptions well before supplies from previous prescriptions should have been exhausted. When patients claimed they had lost a prescription, or that pharmacies hadn't fully filled the

prescriptions, DUFFY is accused of failing to verify this information before writing new prescriptions for the original quantity. In the case of one patient, DUFFY repeatedly wrote multiple prescriptions for quantities of 240 oxycodone 30 mg pills each within just days of each other.

The investigation revealed that DUFFY ignored signs that patients were likely selling oxycodone pills, which are extremely valuable on the black market. A 30 mg oxycodone pill can sell for up to \$30 on the street.

DUFFY allegedly continued prescribing oxycodone after patients admitted to “doctor shopping,” sharing pills and being addicted to the medication. He failed to develop treatment plans for long-term opioid therapy or to adjust oxycodone prescribing when he found that the patients were over-consuming.

Additionally, charges are based on medical files that did not include sufficient documentation to support prescribing opioid medication in such massive quantities, and some records lacked justification for opioid therapy at all. For example, DUFFY’s record keeping for one patient who received tens of thousands of oxycodone pills indicated a diagnosis of a common back condition that affects a large percentage of similarly-aged individuals and does not always cause pain.

Despite his poor record keeping, notations in the medical records suggest that DUFFY did keep track of how many pills patients had received, but took no action when he discovered evidence of over consumption, other than to prescribe more pain pills.

Special Narcotics Prosecutor Bridget G. Brennan stated, “Medical professionals have a privilege to prescribe drugs which might be addictive and dangerous if inappropriately used. When they knowingly abuse this privilege in violation of the law we will prosecute them just as we would any street drug dealer.”

James J. Hunt, DEA Special Agent in Charge, said, “A legitimate doctor works to treat his patient’s medical needs. However, while in practice, David Duffy enabled addiction by writing prescriptions outside the scope of professional practice. This arrest was a result of collaboration between the Long Island Tactical Diversion Squad and New York City’s Office of the Special Narcotics Prosecutor.”

INDICTED DEFENDANT

CHARGES

David L. Duffy
2712 Bayside Lane
Flushing, NY
04/27/1945

CSPCS – 130 cts

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