

INDICTMENT

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

THE PEOPLE OF THE STATE OF NEW YORK

- against -

BARRY S. SLOAN,

Defendant.

INDICTMENT NO.: 2250/2018

COUNT 1 PL § 125.15(1) – MANSLAUGHTER IN THE SECOND DEGREE  
COUNTS 2-6 PL § 120.25 – RECKLESS ENDANGERMENT IN THE FIRST DEGREE  
COUNTS 7-15, 52-53, 63-71 PL § 220.65 – CRIMINAL SALE OF A PRESCRIPTION FOR A CONTROLLED SUBSTANCE  
COUNTS 16-51, 54-62 PL § 220.65(1) – CRIMINAL SALE OF A PRESCRIPTION FOR A CONTROLLED SUBSTANCE OR OF A CONTROLLED SUBSTANCE BY A PRACTITIONER OR PHARMACIST  
COUNT 72 PL § 177.15 – HEALTH CARE FRAUD IN THE THIRD DEGREE  
COUNTS 73-74 PL § 175.10 – FALSIFYING BUSINESS RECORDS IN THE FIRST DEGREE

A TRUE BILL

\_\_\_\_\_  
GRAND JURY FOREPERSON

BARBARA D. UNDERWOOD  
ATTORNEY GENERAL  
STATE OF NEW YORK  
Medicaid Fraud Control Unit  
28 Liberty Street, 13<sup>th</sup> floor  
New York, NY 10005

Dated: \_\_\_\_\_  
New York, New York

GRAND JURY 1A

JUN 25 2018

**COUNT ONE**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of MANSLAUGHTER IN THE SECOND DEGREE in violation of Section 125.15(1) of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York, on or about and between August 5, 2014 and August 9, 2014, recklessly caused the death of L.W., a person whose full name is known to the Grand Jury, by providing L.W., a 36-year old man in generally good health, numerous prescriptions for grossly excessive amounts of dangerous and addictive controlled substances, including the drug Subsys, the consumption of which ultimately caused L.W.'s death by overdose on August 9, 2014, in that: In return for cash payments, Defendant BARRY S. SLOAN disregarded his responsibilities as a physician and the dangers associated with opioid abuse including patient overdose and death, and over the fourteen months before L.W.'s death, issued to L.W., without any legitimate medical justification, numerous opioid prescriptions, such as oxycodone, methadone, and the potent and highly addictive fast-acting fentanyl spray Subsys, an opioid that is 100 times more powerful than morphine and 50 times more powerful than heroin and was approved by the Federal Food and Drug Administration to treat breakthrough pain in opioid-tolerant cancer patients, a disease from which L.W. did not suffer.

**COUNT TWO**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of RECKLESS ENDANGERMENT IN THE FIRST DEGREE in violation of Section 120.25 of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York, from on or about and between March 29, 2013 and August 5, 2014, under circumstances evincing a depraved indifference to human life, recklessly engaged in conduct which created a grave risk of death to another person, L.W., a person whose full name is known to the Grand Jury, in that: Defendant BARRY S. SLOAN, disregarded his responsibilities as a physician and the dangers associated with opioid abuse including patient overdose and death, and in return for cash payments, issued without any legitimate medical justification, numerous prescriptions to L.W. for grossly excessive amounts of dangerous and addictive controlled substances, including the opioids oxycodone and methadone, approximately every month or more frequently; this also included prescriptions for the potent and highly addictive fast-acting fentanyl spray Subsys, which was approved by the Federal Food and Drug Administration to treat breakthrough pain in opioid-tolerant cancer patients, a disease from which L.W. did not suffer.

### **COUNT THREE**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of RECKLESS ENDANGERMENT IN THE FIRST DEGREE in violation of Section 120.25 of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York, from on or about and between February 21, 2014 and March 20, 2015, under circumstances evincing a depraved indifference to human life, recklessly engaged in conduct which created a grave risk of death to another person, V.Y., a person whose full name is known to the Grand Jury, in that: Defendant BARRY S. SLOAN, disregarded his responsibilities as a physician and the dangers associated with opioid abuse including patient overdose and death, and ignoring V.Y.'s expressed concerns about them, issued without any legitimate medical

justification, numerous prescriptions to V.Y. for grossly excessive amounts of dangerous and addictive controlled substances, including the opioids oxycodone and fentanyl, approximately every month or more frequently; this included prescriptions for the potent and highly addictive fast-acting fentanyl spray Subsys, which was approved by the Federal Food and Drug Administration to treat breakthrough pain in opioid-tolerant cancer patients, a disease from which V.Y. did not suffer.

#### **COUNT FOUR**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of RECKLESS ENDANGERMENT IN THE FIRST DEGREE in violation of Section 120.25 of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York, from on or about and between January 17, 2014 and July 13, 2016, under circumstances evincing a depraved indifference to human life, recklessly engaged in conduct which created a grave risk of death to another person, S.R., a person whose full name is known to the Grand Jury, in that: Defendant BARRY S. SLOAN, disregarded his responsibilities as a physician and the dangers associated with opioid abuse including patient overdose and death, and ignoring S.R.'s expressed concerns about them, issued, without any legitimate medical justification, numerous prescriptions to S.R. for grossly excessive amounts of dangerous and addictive controlled substances, including the opioids oxycodone and fentanyl, approximately every month or more frequently; this included prescriptions for the potent and highly addictive, fast-acting fentanyl spray Subsys, which was approved by the Federal Food and Drug Administration to treat breakthrough pain in opioid-tolerant cancer patients, a disease from which S.R. did not suffer.

**COUNT FIVE**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of RECKLESS ENDANGERMENT IN THE FIRST DEGREE in violation of Section 120.25 of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York, from on or about and between June 12, 2012 and July 20, 2016, under circumstances evincing a depraved indifference to human life, recklessly engaged in conduct which created a grave risk of death to another person M.B., a person whose full name is known to the Grand Jury, in that: Defendant BARRY S. SLOAN, disregarded his responsibilities as a physician and the dangers associated with opioid abuse including patient overdose and death, and including in return for cash payments, issued without any legitimate medical justification numerous prescriptions to M.B. for grossly excessive amounts of dangerous and addictive controlled substances, including the opioids oxycodone and fentanyl, approximately every month or more frequently; this included prescriptions for the potent and highly addictive fast-acting fentanyl spray Subsys, which was approved by the Federal Food and Drug Administration to treat breakthrough pain in opioid-tolerant cancer patients, a disease from which M.B. did not suffer.

**COUNT SIX**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of RECKLESS ENDANGERMENT IN THE FIRST DEGREE in violation of Section 120.25 of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York, from on or about and between April 5, 2013 and December 17, 2013, under

circumstances evincing a depraved indifference to human life, recklessly engaged in conduct which created a grave risk of death to another person, M.M., a person whose full name is known to the Grand Jury, in that: Defendant BARRY S. SLOAN, disregarded his responsibilities as a physician and the dangers associated with opioid abuse including patient overdose and death, and in return for cash payments, issued without any medical legitimate justification, numerous prescriptions to M.M. for grossly excessive amounts of dangerous and addictive controlled substances, including the opioids oxycodone and morphine, as well as the benzodiazepine alprazolam, which combines with and amplifies the dangerous effects of opioids, approximately every month or more frequently.

#### **COUNT SEVEN**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A CONTROLLED SUBSTANCE in violation of Section 220.65 of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about September 3, 2013, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered 0R21WV 42, for a controlled substance, to wit, methadone, to another person, L.W., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

#### **COUNT EIGHT**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A

CONTROLLED SUBSTANCE in violation of Section 220.65 of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about September 3, 2013, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered 0R21WV 43, for a controlled substance, to wit, oxycodone, to another person, L.W., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT NINE**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A CONTROLLED SUBSTANCE in violation of Section 220.65 of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about February 18, 2014, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered 0RHFJY 20, for a controlled substance, to wit, oxycodone, to another person, L.W., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT TEN**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A

CONTROLLED SUBSTANCE in violation of Section 220.65 of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about February 18, 2014, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered 0RHFJY 21, for a controlled substance, to wit, methadone, to another person, L.W., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT ELEVEN**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A CONTROLLED SUBSTANCE in violation of Section 220.65 of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about March 18, 2014, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered 0RKCDJ 55, for a controlled substance, to wit, oxycodone, to another person, L.W., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT TWELVE**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A

CONTROLLED SUBSTANCE in violation of Section 220.65 of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about March 18, 2014, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered 0RKCJD 56, for a controlled substance, to wit, methadone, to another person, L.W., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT THIRTEEN**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A CONTROLLED SUBSTANCE in violation of Section 220.65 of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about June 10, 2014, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered 0RSCC1 65, for a controlled substance, to wit, fentanyl, to another person, L.W., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT FOURTEEN**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A

CONTROLLED SUBSTANCE in violation of Section 220.65 of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about June 10, 2014, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered 0RSCC1 66, for a controlled substance, to wit, methadone, to another person, L.W., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT FIFTEEN**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A CONTROLLED SUBSTANCE in violation of Section 220.65 of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about June 10, 2014, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered 0RSCC1 67, for a controlled substance, to wit, oxycodone, to another person, L.W., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT SIXTEEN**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A CONTROLLED SUBSTANCE OR OF A CONTROLLED SUBSTANCE BY A

PRACTITIONER OR PHARMACIST in violation of Section 220.65(1) of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about August 5, 2014, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered 0RXLQW 43, for a controlled substance, to wit, fentanyl, to another person, L.W., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT SEVENTEEN**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A CONTROLLED SUBSTANCE OR OF A CONTROLLED SUBSTANCE BY A PRACTITIONER OR PHARMACIST in violation of Section 220.65(1) of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about August 5, 2014, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered 0RXLQW 44, for a controlled substance, to wit, fentanyl, to another person, L.W., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT EIGHTEEN**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A

CONTROLLED SUBSTANCE OR OF A CONTROLLED SUBSTANCE BY A PRACTITIONER OR PHARMACIST in violation of Section 220.65(1) of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about and between August 5, 2014 and August 6, 2014, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered 0RXLQW 35, for a controlled substance, to wit, methadone, to another person, L.W., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT NINETEEN**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A CONTROLLED SUBSTANCE OR OF A CONTROLLED SUBSTANCE BY A PRACTITIONER OR PHARMACIST in violation of Section 220.65(1) of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about August 5, 2014, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered 0RXLQW 39, for a controlled substance, to wit, oxycodone, to another person, L.W., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT TWENTY**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A CONTROLLED SUBSTANCE OR OF A CONTROLLED SUBSTANCE BY A PRACTITIONER OR PHARMACIST in violation of Section 220.65(1) of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about August 29, 2014, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered 0RW7T8 58, for a controlled substance, to wit, oxycodone, to another person, V.Y., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT TWENTY-ONE**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A CONTROLLED SUBSTANCE OR OF A CONTROLLED SUBSTANCE BY A PRACTITIONER OR PHARMACIST in violation of Section 220.65(1) of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about August 29, 2014, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered 0RXVTK 89, for a controlled substance, to wit, oxycodone, to another person, V.Y.,

whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT TWENTY-TWO**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A CONTROLLED SUBSTANCE OR OF A CONTROLLED SUBSTANCE BY A PRACTITIONER OR PHARMACIST in violation of Section 220.65(1) of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about August 29, 2014, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered 0RXVTL 33, for a controlled substance, to wit, oxycodone, to another person, V.Y., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT TWENTY-THREE**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A CONTROLLED SUBSTANCE OR OF A CONTROLLED SUBSTANCE BY A PRACTITIONER OR PHARMACIST in violation of Section 220.65(1) of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about August 29, 2014, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription,

numbered 0RXVTK 91, for a controlled substance, to wit, fentanyl, to another person, V.Y., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT TWENTY-FOUR**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A CONTROLLED SUBSTANCE OR OF A CONTROLLED SUBSTANCE BY A PRACTITIONER OR PHARMACIST in violation of Section 220.65(1) of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about August 29, 2014, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered 0RXVTK 92, for a controlled substance, to wit, fentanyl, to another person, V.Y., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT TWENTY-FIVE**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A CONTROLLED SUBSTANCE OR OF A CONTROLLED SUBSTANCE BY A PRACTITIONER OR PHARMACIST in violation of Section 220.65(1) of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about September 15, 2014, being a practitioner as that term is defined in section

thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered 0RZQ2C 50, for a controlled substance, to wit, fentanyl, to another person, V.Y., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT TWENTY-SIX**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A CONTROLLED SUBSTANCE OR OF A CONTROLLED SUBSTANCE BY A PRACTITIONER OR PHARMACIST in violation of Section 220.65(1) of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about September 15, 2014, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered 0RZQ2C 51, for a controlled substance, to wit, oxycodone, to another person, V.Y., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT TWENTY-SEVEN**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A CONTROLLED SUBSTANCE OR OF A CONTROLLED SUBSTANCE BY A PRACTITIONER OR PHARMACIST in violation of Section 220.65(1) of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about September 15, 2014, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered 0RZQ2C 52, for a controlled substance, to wit, oxycodone, to another person, V.Y., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT TWENTY-EIGHT**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A CONTROLLED SUBSTANCE OR OF A CONTROLLED SUBSTANCE BY A PRACTITIONER OR PHARMACIST in violation of Section 220.65(1) of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about September 15, 2014, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered 0RZQ2C 49, for a controlled substance, to wit, fentanyl, to another person, V.Y., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT TWENTY-NINE**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A CONTROLLED SUBSTANCE OR OF A CONTROLLED SUBSTANCE BY A

PRACTITIONER OR PHARMACIST in violation of Section 220.65(1) of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about September 26, 2014, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered 0RZRD3 98, for a controlled substance, to wit, oxycodone, to another person, V.Y., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT THIRTY**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A CONTROLLED SUBSTANCE OR OF A CONTROLLED SUBSTANCE BY A PRACTITIONER OR PHARMACIST in violation of Section 220.65(1) of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about September 26, 2014, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered 0RZRD3 97, for a controlled substance, to wit, oxycodone, to another person, V.Y., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT THIRTY-ONE**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A

CONTROLLED SUBSTANCE OR OF A CONTROLLED SUBSTANCE BY A PRACTITIONER OR PHARMACIST in violation of Section 220.65(1) of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about October 9, 2014, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered 0RZQ27 94, for a controlled substance, to wit, oxycodone, to another person, V.Y., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT THIRTY-TWO**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A CONTROLLED SUBSTANCE OR OF A CONTROLLED SUBSTANCE BY A PRACTITIONER OR PHARMACIST in violation of Section 220.65(1) of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about October 9, 2014, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered 0RZQ27 97, for a controlled substance, to wit, alprazolam, to another person, V.Y., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT THIRTY-THREE**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A CONTROLLED SUBSTANCE OR OF A CONTROLLED SUBSTANCE BY A PRACTITIONER OR PHARMACIST in violation of Section 220.65(1) of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about October 9, 2014, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered 0S17P6 32, for a controlled substance, to wit, oxycodone, to another person, V.Y., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT THIRTY-FOUR**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A CONTROLLED SUBSTANCE OR OF A CONTROLLED SUBSTANCE BY A PRACTITIONER OR PHARMACIST in violation of Section 220.65(1) of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about October 29, 2014, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered 0S32GY 11, for a controlled substance, to wit, fentanyl, to another person, V.Y., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT THIRTY-FIVE**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A CONTROLLED SUBSTANCE OR OF A CONTROLLED SUBSTANCE BY A PRACTITIONER OR PHARMACIST in violation of Section 220.65(1) of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about October 29, 2014, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered 0S32GY 12, for a controlled substance, to wit, fentanyl, to another person, V.Y., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT THIRTY-SIX**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A CONTROLLED SUBSTANCE OR OF A CONTROLLED SUBSTANCE BY A PRACTITIONER OR PHARMACIST in violation of Section 220.65(1) of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about October 29, 2014, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered 0S32GY 13, for a controlled substance, to wit, oxycodone, to another person, V.Y.,

whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT THIRTY-SEVEN**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A CONTROLLED SUBSTANCE OR OF A CONTROLLED SUBSTANCE BY A PRACTITIONER OR PHARMACIST in violation of Section 220.65(1) of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about October 29, 2014, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered OS32GY 14, for a controlled substance, to wit, alprazolam, to another person, V.Y., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT THIRTY-EIGHT**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A CONTROLLED SUBSTANCE OR OF A CONTROLLED SUBSTANCE BY A PRACTITIONER OR PHARMACIST in violation of Section 220.65(1) of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about November 26, 2014, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription,

numbered 0SHMYW 01, for a controlled substance, to wit, alprazolam, to another person, V.Y., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT THIRTY-NINE**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A CONTROLLED SUBSTANCE OR OF A CONTROLLED SUBSTANCE BY A PRACTITIONER OR PHARMACIST in violation of Section 220.65(1) of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about April 15, 2015, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered 0SFYWJ 17, for a controlled substance, to wit, clonazepam, to another person, S.R., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT FORTY**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A CONTROLLED SUBSTANCE OR OF A CONTROLLED SUBSTANCE BY A PRACTITIONER OR PHARMACIST in violation of Section 220.65(1) of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about April 15, 2015, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered 0SFYWJ 18, for a controlled substance, to wit, oxycodone, to another person, S.R., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT FORTY-ONE**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A CONTROLLED SUBSTANCE OR OF A CONTROLLED SUBSTANCE BY A PRACTITIONER OR PHARMACIST in violation of Section 220.65(1) of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about April 15, 2015, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered 0SFYWJ 20, for a controlled substance, to wit, oxycodone, to another person, S.R., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT FORTY-TWO**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A CONTROLLED SUBSTANCE OR OF A CONTROLLED SUBSTANCE BY A

PRACTITIONER OR PHARMACIST in violation of Section 220.65(1) of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about April 15, 2015, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered 0SFYWJ 21, for a controlled substance, to wit, oxycodone, to another person, S.R., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT FORTY-THREE**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A CONTROLLED SUBSTANCE OR OF A CONTROLLED SUBSTANCE BY A PRACTITIONER OR PHARMACIST in violation of Section 220.65(1) of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about February 17, 2016, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered 0SZ4PV 85, for a controlled substance, to wit, oxycodone, to another person, S.R., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT FORTY-FOUR**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A

CONTROLLED SUBSTANCE OR OF A CONTROLLED SUBSTANCE BY A PRACTITIONER OR PHARMACIST in violation of Section 220.65(1) of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about February 17, 2016, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered 0SZ4PV 86, for a controlled substance, to wit, oxycodone, to another person, S.R., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT FORTY-FIVE**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A CONTROLLED SUBSTANCE OR OF A CONTROLLED SUBSTANCE BY A PRACTITIONER OR PHARMACIST in violation of Section 220.65(1) of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about February 17, 2016, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered 0SZ4PV 87, for a controlled substance, to wit, oxycodone, to another person, S.R., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT FORTY-SIX**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A CONTROLLED SUBSTANCE OR OF A CONTROLLED SUBSTANCE BY A PRACTITIONER OR PHARMACIST in violation of Section 220.65(1) of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about April 13, 2016, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered 0T26C8 28, for a controlled substance, to wit, oxycodone, to another person, S.R., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT FORTY-SEVEN**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A CONTROLLED SUBSTANCE OR OF A CONTROLLED SUBSTANCE BY A PRACTITIONER OR PHARMACIST in violation of Section 220.65(1) of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about April 13, 2016, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered 0T26C8 29, for a controlled substance, to wit, oxycodone, to another person, S.R., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT FORTY-EIGHT**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A CONTROLLED SUBSTANCE OR OF A CONTROLLED SUBSTANCE BY A PRACTITIONER OR PHARMACIST in violation of Section 220.65(1) of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about April 13, 2016, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered 0T26C8 30, for a controlled substance, to wit, oxycodone, to another person, S.R., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNTY FORTY-NINE**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A CONTROLLED SUBSTANCE OR OF A CONTROLLED SUBSTANCE BY A PRACTITIONER OR PHARMACIST in violation of Section 220.65(1) of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about June 8, 2016, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered 0T2Z32 05, for a controlled substance, to wit, oxycodone, to another person, S.R.,

whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT FIFTY**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A CONTROLLED SUBSTANCE OR OF A CONTROLLED SUBSTANCE BY A PRACTITIONER OR PHARMACIST in violation of Section 220.65(1) of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about June 8, 2016, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered 0T2Z32 00, for a controlled substance, to wit, oxycodone, to another person, S.R., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT FIFTY-ONE**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A CONTROLLED SUBSTANCE OR OF A CONTROLLED SUBSTANCE BY A PRACTITIONER OR PHARMACIST in violation of Section 220.65(1) of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about June 8, 2016, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription,

numbered 0T2Z32 01, for a controlled substance, to wit, oxycodone, to another person, S.R., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT FIFTY-TWO**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A CONTROLLED SUBSTANCE in violation of Section 220.65 of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about June 11, 2014, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered 0RSCBQ 88, for a controlled substance, to wit, fentanyl, to another person, M.B., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT FIFTY-THREE**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A CONTROLLED SUBSTANCE in violation of Section 220.65 of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about June 11, 2014, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered 0RSCBQ 89, for a controlled substance, to wit, fentanyl, to another person, M.B., whose

full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT FIFTY-FOUR**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A CONTROLLED SUBSTANCE OR OF A CONTROLLED SUBSTANCE BY A PRACTITIONER OR PHARMACIST in violation of Section 220.65(1) of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about August 15, 2014, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered 0RXVT7 81, for a controlled substance, to wit, oxycodone, to another person, M.B., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT FIFTY-FIVE**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A CONTROLLED SUBSTANCE OR OF A CONTROLLED SUBSTANCE BY A PRACTITIONER OR PHARMACIST in violation of Section 220.65(1) of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about August 15, 2014, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription,

numbered 0RXVT7 82, for a controlled substance, to wit, oxycodone, to another person, M.B., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT FIFTY-SIX**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A CONTROLLED SUBSTANCE OR OF A CONTROLLED SUBSTANCE BY A PRACTITIONER OR PHARMACIST in violation of Section 220.65(1) of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about August 15, 2014, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered 0RXVT7 83, for a controlled substance, to wit, alprazolam, to another person, M.B., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT FIFTY-SEVEN**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A CONTROLLED SUBSTANCE OR OF A CONTROLLED SUBSTANCE BY A PRACTITIONER OR PHARMACIST in violation of Section 220.65(1) of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about September 9, 2015, being a practitioner as that term is defined in section

thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered OSPHN0 35, for a controlled substance, to wit, alprazolam, to another person, M.B., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT FIFTY-EIGHT**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A CONTROLLED SUBSTANCE OR OF A CONTROLLED SUBSTANCE BY A PRACTITIONER OR PHARMACIST in violation of Section 220.65(1) of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about September 9, 2015, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered OSPHN0 36, for a controlled substance, to wit, oxycodone, to another person, M.B., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT FIFTY-NINE**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A CONTROLLED SUBSTANCE OR OF A CONTROLLED SUBSTANCE BY A PRACTITIONER OR PHARMACIST in violation of Section 220.65(1) of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about September 9, 2015, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered 0SPHN0 37, for a controlled substance, to wit, oxycodone, to another person, M.B., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT SIXTY**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A CONTROLLED SUBSTANCE OR OF A CONTROLLED SUBSTANCE BY A PRACTITIONER OR PHARMACIST in violation of Section 220.65(1) of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about July 20, 2016, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered 0T3PBC 69, for a controlled substance, to wit, oxycodone, to another person, M.B., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT SIXTY-ONE**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A CONTROLLED SUBSTANCE OR OF A CONTROLLED SUBSTANCE BY A

PRACTITIONER OR PHARMACIST in violation of Section 220.65(1) of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about July 20, 2016, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered 0T3PBC 70, for a controlled substance, to wit, oxycodone, to another person, M.B., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT SIXTY-TWO**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A CONTROLLED SUBSTANCE OR OF A CONTROLLED SUBSTANCE BY A PRACTITIONER OR PHARMACIST in violation of Section 220.65(1) of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about July 20, 2016, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered 0T3PBC 71, for a controlled substance, to wit, alprazolam, to another person, M.B., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT SIXTY-THREE**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A

CONTROLLED SUBSTANCE in violation of Section 220.65 of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about July 2, 2013, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered 0QR8YP 23, for a controlled substance, to wit, oxycodone, to another person, M.M., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT SIXTY-FOUR**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A CONTROLLED SUBSTANCE in violation of Section 220.65 of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about July 2, 2013, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered 0QR8YP 22, for a controlled substance, to wit, morphine, to another person, M.M., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT SIXTY-FIVE**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A

CONTROLLED SUBSTANCE in violation of Section 220.65 of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about July 30, 2013, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered 0R10QQ 62, for a controlled substance, to wit, oxycodone, to another person, M.M., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT SIXTY-SIX**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A CONTROLLED SUBSTANCE in violation of Section 220.65 of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about July 30, 2013, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered 0R10QQ 63, for a controlled substance, to wit, morphine, to another person, M.M., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT SIXTY-SEVEN**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A

CONTROLLED SUBSTANCE in violation of Section 220.65 of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about July 30, 2013, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered 0R10QQ 64, for a controlled substance, to wit, alprazolam, to another person, M.M., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT SIXTY-EIGHT**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A CONTROLLED SUBSTANCE in violation of Section 220.65 of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about November 26, 2013, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered 0R947C 48, for a controlled substance, to wit, morphine, to another person, M.M., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT SIXTY-NINE**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A

CONTROLLED SUBSTANCE in violation of Section 220.65 of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about November 26, 2013, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered 0R947C 50, for a controlled substance, to wit, oxycodone, to another person, M.M., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT SEVENTY**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A CONTROLLED SUBSTANCE in violation of Section 220.65 of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about November 26, 2013, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered 0R947C 51, for a controlled substance, to wit, oxycodone, to another person, M.M., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT SEVENTY-ONE**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of committing the crime of CRIMINAL SALE OF A PRESCRIPTION FOR A

CONTROLLED SUBSTANCE in violation of Section 220.65 of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York on or about November 26, 2013, being a practitioner as that term is defined in section thirty-three hundred two of the Public Health Law, knowingly and unlawfully sold a prescription, numbered 0R947C 52, for a controlled substance, to wit, alprazolam, to another person, M.M., whose full name is known to the Grand Jury, and did so other than in good faith in the course of defendant's professional practice.

**COUNT SEVENTY-TWO**

The GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant of the crime of HEALTH CARE FRAUD IN THE THIRD DEGREE in violation of Section 177.15 of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York, on or about and between April 15, 2014 and August 5, 2014, acting in concert with others and with intent to defraud a health plan, Healthfirst, Inc., a Medicaid managed care provider, knowingly and willfully provided materially false information and omitted material information for the purpose of requesting payment from Healthfirst, Inc. for a health care item or service and, as a result of such information and omission, another person received payment, in a period of not more than one year, in excess of ten thousand dollars in the aggregate, which he or such other person was not entitled to under the circumstances.

**COUNT SEVENTY-THREE**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant BARRY S. SLOAN of the crime of FALSIFYING BUSINESS RECORDS IN THE FIRST DEGREE in violation of Section 175.10 of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York, on or about April 15, 2014, with intent to defraud, which included an intent to commit another crime and to aid and conceal the commission thereof, made and caused a false entry in the business records of Ageonics Medical, P.C., to wit: a prior authorization form for narcotic medication in the medical file of L.W., a person whose full name is known to the Grand Jury.

**COUNT SEVENTY-FOUR**

THE GRAND JURY OF THE COUNTY OF NEW YORK, by this Indictment, accuses the defendant BARRY S. SLOAN of the crime of FALSIFYING BUSINESS RECORDS IN THE FIRST DEGREE in violation of Section 175.10 of the Penal Law, committed as follows:

Defendant BARRY S. SLOAN, in the County of New York and elsewhere in the State of New York, on or about February 3, 2015, with intent to defraud, which included an intent to commit another crime and to aid and conceal the commission thereof, made and caused a false entry in the business records of Ageonics Medical, P.C., to wit: a letter seeking prior authorization for a narcotic medication in the medical file of M.B., a person whose full name is known to the Grand Jury.