Department of Justice Sues Rite Aid for Allegedly Filling Unlawful Opioid Prescriptions



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On March 13, 2023, the Department of Justice (DOJ) commenced an action against Rite Aid for violating the False Claims Act (FCA) and Controlled Substances Act (CSA) by knowingly filling unlawful prescriptions for controlled substances.

The complaint alleges that from March 2014 through June 2019, Rite Aid knowingly filled thousands of unlawful prescriptions for controlled substances, despite clear red flags that the prescriptions were unlawful. The prescriptions included excessive quantities of opioids, such as oxycodone and fentanyl. The DOJ said that the prescriptions lacked a legitimate medical purpose, were not for a medically accepted indication, or were not issued in the usual course of professional practice. The DOJ also stated that Rite Aid intentionally deleted internal notes about suspicious prescribers and directed district managers to tell pharmacists "to be mindful of everything that is put in writing."

Knowingly filling unlawful prescriptions for controlled substances is a violation of the CSA. Seeking reimbursement from federal healthcare programs for unlawfully filled prescriptions is a violation of the FCA. The DOJ stated that it is committed to confronting the opioid crisis and will hold accountable to any individuals or entities, including pharmacies, that fuel the crisis.

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