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Ex-Boca school counselor who pushed fentanyl spray for Insys is heading to prison

By John Pacenti

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Alec Burlakoff — [the one-time Boca Raton high school counselor who masterminded a bribery scheme to get doctors to prescribe a potent fentanyl spray](#) — was sentenced to 26 months in prison on Thursday in a Boston courtroom, benefiting from flipping against the owner of the company.

Burlakoff, 45, had a checkered past at previous pharmaceutical companies before helping turn Arizona-based Insys Therapeutics into a Wall Street juggernaut, birthing his bribery scheme in South Florida.

As vice president of sales, he recruited strippers, waitresses and cheerleaders to be sales reps to lure doctors into prescribing the deadly fentanyl spray Subsys by paying them for bogus speaking engagements. He and Insys funneled \$16.3 million into doctors' pockets over 2½ years.

All of this occurred as the nation struggled in the grip of a crippling opioid crisis. As a result, Insys became the subject of a congressional hearing and its own episode on CNBC's "American Greed."

"I didn't think of who we were at Insys, and how unethical what we were doing was," Burlakoff told U.S. District Judge Allison Burroughs in Boston on Thursday. "The only thing I could think was how could I keep up with the fast and furious pace necessary to get ahead."

Burlakoff's metamorphosis to hapless victim of greedy Big Pharma was belied by the fact he once bragged that he took his sales tactics from the movie "The Wolf of Wall Street."

He also dressed up as a giant bottle of Subsys for a rap video played at a sales conference. The video urged Insys sales reps to get doctors to prescribe fentanyl at the highest, most addictive dose.

Burlakoff threatened to fire any rep who could not get their doctors to write at least one script per day, according to a federal lawsuit.

The higher the dose, the more money Insys made for a drug that costs \$1,800 retail for 30 spray bottles at its lowest strength and as much as \$6,000 at its highest dose.

Insys made \$500 million in 2014 and 2015 under Burlakoff's guidance. Subsys sales rose 3,200 percent. The company filed for bankruptcy in 2019.

"This was an offense of greed," Burroughs said. The judge previously called Burlakoff one of the "co-architects" of the Insys bribery and fraud conspiracy.

Burroughs told Burlakoff he will have "to live with the fact that some of these other people got swept into this because you recruited them." She then gave him six more months than prosecutors requested.

What was missing in Burlakoff's sentencing were the patients who suffered immeasurably under the addictive drug. At least 908 patients died with Subsys the primary suspect in their deaths, [The Palm Beach Post reported in its multipart 2018 investigation, "Pay to Prescribe: The Fentanyl Scandal."](#)

The fentanyl spray was approved by the FDA only for cancer pain, but doctors under the Burlakoff plan prescribed the spray for routine back pain, migraines and intestinal disorders.

Prosecutors asked Burroughs to "hold your nose" and give Burlakoff a 20-month sentence, far less than other executives and doctors in the scandal, because he had testified at trial against Insys' owner and chairman, John Kapoor, who got 5½ years in prison Thursday.

"The conduct of the Insys' executives was nothing short of evil, Alec Burlakoff being a central actor," said attorney Richard Hollawell, who is suing Insys on behalf of a family who lost a daughter, Sarah Fuller, to Subsys.

"I do commend him for being the first to step up and cooperate. His cooperation helped with Kapoor's conviction and those of many others."

Unlike in the Burlakoff sentencing, seven victims and family members of victims who were prescribed the spray gave emotional statements to the court concerning Kapoor.

"Far too many people have died, or like me, have had their lives changed, at the hands of your greed and cruelty," said one victim, Paul Lara. "It's unrealistic to believe that Insys Therapeutics executives could not see the results of their behavior."

Burlakoff certainly got off easy considering that the judge called him one of the "co-architects" of the bribery and fraud conspiracy.

Other executives, even those who pleaded out, received sentences between 27 and 33 months.

[Sunrise Lee — a West Palm Beach stripper turned Insys sales Siren — was sentenced to a year in prison on Wednesday.](#) She once gave a doctor a lap dance and she was a regional sales manager for Insys.

Doctors have also been prosecuted. Leading the pack are Alabama's Dr. Xiulu Ruan and John Patrick Couch. They are serving 21- and 20-year prison sentences for their role in promoting Subsys and other opioid scams.

Florida doctors, some who netted hundreds of thousands of dollars in speaker fees, have largely escaped the wrath of federal prosecutors.

Insys paid Florida physicians more than \$2.1 million from August 2013 through 2015. The Post analysis of Medicare data showed. Florida topped the nation for Subsys claims in 2014 and 2015.

Burlakoff brought the sham speaker programs from his previous job at Cephalon, which settled with the Justice Department for \$425 million for pursuing off-label prescriptions of its fentanyl lollipop and two other drugs.

Before that, he was fired from Eli Lilly and Co., a pharmaceutical giant, and as a sales rep in Palm Beach and Broward counties. He and two other salespeople sent unsolicited Prozac through the mail.

But Burlakoff attorneys and supporters told the judge the man who once counseled teens and coached them at basketball at Pine Crest School in Boca lost his way when his brother committed suicide by cop after gunning down his wife on a Boca Raton street.

In a letter to the judge, a friend of Burlakoff's said after his brother's death "his thinking was a little out of whack."

"This shocking trauma took place in October 2013 when Mr. Burlakoff was in the midst of the conspiracy at Insys," attorney Joshua Ruby wrote in a sentencing memorandum. "Tellingly, Dr. Kapoor ordered Mr. Burlakoff to return to work after only a matter of days of grieving."

Burlakoff caved to Kapoor's win-at-all-cost culture at Insys, Ruby told the court, and "let his drive and competitiveness — which had served him so well as a coach — overcome his judgment."

Burlakoff pleaded guilty to a single count of racketeering conspiracy in November 2018, setting up his dramatic testimony in Kapoor's trial.

Federal prosecutors in Boston used a landmark approach, charging Insys executives under the Racketeer Influenced and Corrupt Organizations Act. RICO is a charge often reserved for mob bosses and drug lords.

Miami attorney Andrew Ittleman said for years opioid companies operated with impunity in breaking the law.

The Insys prosecutions, Ittleman said, "may very well be a bellwether for future prosecutions in the opioid industry, especially as the public learns more about it on an almost daily basis," he said.