



N.Y. / REGION

Doctor Accused of Overprescribing Pills Is Guilty of Manslaughter

By MONIQUE O. MADAN JULY 18, 2014

A Queens doctor accused of overprescribing painkillers to two patients who later suffered fatal overdoses was convicted on Friday of two counts of second-degree manslaughter and dozens of lesser charges.

The guilty verdict against Dr. Stan Xuhui Li came after a four-month trial in State Supreme Court in Manhattan and nearly six days of jury deliberations. Prosecutors had portrayed Dr. Li as reckless in his prescribing of drugs to patients who showed clear signs of addiction. Dr. Li's lawyer had argued that his client had acted in good faith and that the patients who died overdosed because they failed to follow Dr. Li's instructions.

The jury found Dr. Li, 60, guilty of 200 of the 211 charges against him. In addition to the manslaughter counts, those charges included reckless endangerment, criminal sale of a prescription for a controlled substance and falsifying records. State Supreme Court Justice Michael R. Sonberg ordered Dr. Li held without bail until he is sentenced on Oct. 20. He faces a prison term of five to 15 years on each of the manslaughter counts.

Dr. Li, an anesthesiologist from Hamilton, N.J., ran a pain management clinic one day each weekend in Flushing, Queens, where he saw dozens of patients a day, posted a price list on the wall for drugs that included oxycodone and Xanax and accepted payment primarily in cash.

During closing arguments, prosecutors said Dr. Li was driven by greed

and ignored warnings from emergency room workers and his patients' relatives that he was placing lives at risk. His lawyer, Raymond Belair, countered that he was dealing with difficult patients, some of whom misled him about their substance abuse problems.

The case against Dr. Li was unusual because the office of New York City's special narcotics prosecutor typically charges doctors accused of knowingly prescribing painkillers to drug abusers with criminal sale of a prescription for a controlled substance. Dr. Li was instead charged with manslaughter after Joseph Haeg and Nicholas Rappold, who were under his care, died. Though the tactic has been used in cases in several other states, it is rare in New York.

"My office devoted more than three years and countless resources to this case because we believed that the public needed protection from criminally reckless conduct that purported to be medical treatment but resulted in loss of life, addiction and harm to patients," Bridget C. Brennan, the city's special narcotics prosecutor, said in a statement issued after the verdict was delivered.

The verdict took about 45 minutes to be read, with several jurors yawning and even dozing off as the time passed. Dr. Li sat solemnly and stared at the table in front of him, as his wife and daughter looked on, taking deep breaths, their eyes closed and their arms crossed.

Mr. Belair declined to speak with reporters and exited the courtroom through a back door with Dr. Li's family. He did not respond to several telephone calls.

Dr. Li was also convicted on six of the seven reckless endangerment charges against him, which were related to his dealings with seven patients who nearly died. Many of the other counts involved accusations that he illegally sold prescriptions to 20 other patients, including David S. Laffer, a drug addict who fatally shot four people in 2011 while stealing narcotics from a pharmacy on Long Island.

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