

## **Omnicare Completes Voluntary Settlement Agreement**

COVINGTON, Ky.--([BUSINESS WIRE](#))--Omnicare, Inc. (NYSE:OCR) today announced that it has finalized a previously disclosed agreement in principle for a voluntary civil settlement with the U.S. Attorney's Office, District of Massachusetts, the Departments of Justice and Health and Human Services, as well as various of the states in which the Company does business. The settlement relates to the previously disclosed investigation with respect to qui tam complaints filed against the Company. The Company cooperated fully with the review of these matters and is pleased to have reached a resolution.

The Settlement Agreement does not include any finding of wrongdoing or any admission of liability by Omnicare. The Company denies the contentions of the federal government and the qui tam relators as set forth in the complaints and further denies any liability related to those contentions. The allegations include claims that the Company purportedly purchased a medical supply business at an above-market price to induce the referral of business; allegedly received improper payments from pharmaceutical manufacturers; and purportedly provided consultant pharmacist services to customers at below cost and fair market value to induce the referral of business. The Company agreed to settle the matters in order to avoid expensive and time-consuming litigation and to focus on its mission of providing high-quality pharmaceutical care for the frail elderly.

Under the terms of the Settlement Agreement, Omnicare has agreed to pay \$98 million plus interest (from June 24, 2009, the date of the aforementioned agreement in principle) to the federal government and the participating states and the District of Columbia and related expenses. Consistent with previous disclosure, this amount has been reserved by Omnicare. Omnicare has also voluntarily entered into an Amended and Restated Corporate Integrity Agreement (CIA) with the Department of Health and Human Services. The CIA will be in effect for a period of five years and provides for, among other things, training and oversight to demonstrate Omnicare's commitment to comply with the applicable laws and regulations governing pharmacies.

### **About Omnicare**

Omnicare, Inc. (NYSE:OCR), a Fortune 500 company based in Covington, Kentucky, is a leading provider of pharmaceutical care for the elderly. Omnicare serves residents in long-term care facilities, chronic care and other settings comprising approximately 1.4 million beds in 47 states, the District of Columbia and Canada. Omnicare is the largest U.S. provider of professional pharmacy, related consulting and data management services for skilled nursing, assisted living and other institutional healthcare providers as well as for hospice patients in homecare and other settings. Omnicare's pharmacy services also include distribution and patient assistance services for specialty

pharmaceuticals. Omnicare offers clinical research services for the pharmaceutical and biotechnology industries in 31 countries worldwide.

For more information on Omnicare, visit [www.omnicare.com](http://www.omnicare.com).

## **Forward-Looking Statements**

*In addition to historical information, this press release contains certain statements that constitute “forward-looking statements” within the meaning of the Private Securities Litigation Reform Act of 1995. These forward-looking statements include, but are not limited to, all statements regarding the intent, belief or current expectations regarding the matters discussed or incorporated by reference in this document (including statements as to “beliefs,” “expectations,” “anticipations,” “intentions” or similar words) and all statements which are not statements of historical fact. Such forward-looking statements, together with other statements that are not historical, are based on management’s current expectations and involve known and unknown risks, uncertainties, contingencies and other factors that could cause results, performance or achievements to differ materially from those stated. The most significant of these risks and uncertainties are described in the Company’s Form 10-K, Form 10-Q and Form 8-K reports filed with the Securities and Exchange Commission and include, but are not limited to: overall economic, financial, political and business conditions; trends in the long-term healthcare, pharmaceutical and contract research industries; the ability to attract new clients and service contracts and retain existing clients and service contracts; the ability to consummate pending acquisitions; trends for the continued growth of the Company’s businesses; trends in drug pricing; delays and reductions in reimbursement by the government and other payors to customers and to the Company; the overall financial condition of the Company’s customers and the ability of the Company to assess and react to such financial condition of its customers; the ability of vendors and business partners to continue to provide products and services to the Company; the continued successful integration of acquired companies; the continued availability of suitable acquisition candidates; the ability to attract and retain needed management; competition for qualified staff in the healthcare industry; the demand for the Company’s products and services; variations in costs or expenses; the ability to implement productivity, consolidation and cost reduction efforts and to realize anticipated benefits; the ability of clinical research projects to produce revenues in future periods; the potential impact of legislation, government regulations, and other government action and/or executive orders, including those relating to Medicare Part D, including its implementing regulations and any subregulatory guidance, reimbursement and drug pricing policies and changes in the interpretation and application of such policies, including changes in the calculation of average wholesale price; government budgetary pressures and shifting priorities; federal and state budget shortfalls; efforts by payors to control costs; changes to or termination of the Company’s contracts with Medicare Part D plan sponsors or to the proportion of the Company’s Part D business covered by specific contracts; the outcome of litigation; potential liability for losses not covered by, or in excess of, insurance; the impact of differences in actuarial assumptions and estimates as compared to eventual outcomes; events or*

*circumstances which result in an impairment of assets, including but not limited to, goodwill and identifiable intangible assets; the final outcome of divestiture activities; market conditions; the outcome of audit, compliance, administrative, regulatory or investigatory reviews; volatility in the market for the Company's stock and in the financial markets generally; access to adequate capital and financing; changes in international economic and political conditions and currency fluctuations between the U.S. dollar and other currencies; changes in tax laws and regulations; changes in accounting rules and standards; and costs to comply with the Company's Corporate Integrity Agreements. Should one or more of these risks or uncertainties materialize or should underlying assumptions prove incorrect, the Company's actual results, performance or achievements could differ materially from those expressed in, or implied by, such forward-looking statements. Readers are cautioned not to place undue reliance on these forward-looking statements, which speak only as of the date hereof. Except as otherwise required by law, the Company does not undertake any obligation to publicly release any revisions to these forward-looking statements to reflect events or circumstances after the date hereof or to reflect the occurrence of unanticipated events.*

#### Contacts

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