

Edgar Filing: CURATIVE HEALTH SERVICES INC - Form 8-K

CURATIVE HEALTH SERVICES INC

Form 8-K

September 28, 2005

UNITED STATES  
SECURITIES AND EXCHANGE COMMISSION  
Washington, D.C. 20549

FORM 8-K

CURRENT REPORT

Pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934

Date of report (Date of earliest event reported): September 28, 2005

CURATIVE HEALTH SERVICES, INC.

(Exact name of registrant as specified in its charter)

|   |                             |   |
|---|-----------------------------|---|
| Minnesota   | 000-50371                   | 51-0467366                              |
| (State or other jurisdiction of<br>incorporation or organization) | (Commission<br>File Number) | (I.R.S. Employer<br>Identification No.) |

61 Spit Brook Road  
Nashua, New Hampshire 03060  
(Address of principal executive offices) (zip code)

(603) 888-1500  
(Registrant's telephone number, including area code)

Not Applicable  
(Former name or former address, if changed since last report)

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Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions:

- Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
- Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)
- Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))
- Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))

Item 8.01 Other Events.

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Curative Health Services, Inc. (the "Company") today announced that it intends to dispute the results of audits conducted by the Department of Health Services ("DHS") of the State of California of three independent retail California pharmacies which previously did business with two subsidiaries of the Company, Apex Therapeutic Care, Inc. and eBioCare.com, Inc. The Company also announced it would hold a conference call to discuss these issues at 11:00 a.m. on Wednesday, September 28, 2005. The Company's press release regarding this announcement and talking points prepared for the conference call are filed as exhibits to this report.

Item 9.01 Financial Statements and Exhibits.

(c) Exhibits

| Exhibit No. | Description of Exhibit   |
|-------------|--|
| 99.1        | Press Release of Curative Health Services, Inc., dated September 28, 2005. |
| 99.2        | DHS Audit Talking Points prepared by Curative Health Services, Inc.        |

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### SIGNATURE

Pursuant to the requirements of the Securities Exchange Act of 1934, the Registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

Date: September 28, 2005

CURATIVE HEALTH SERVICES, INC.

By: /s/ Thomas Axmacher  
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Thomas Axmacher  
Chief Financial Officer

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### EXHIBIT INDEX

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Services, Inc.