

UNITED STATES SECURITIES AND EXCHANGE COMMISSION
WASHINGTON, D.C.

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) May 18, 2006

BioScrip, Inc.

(Exact Name of Registrant as Specified in its Charter)

Delaware
(State or Other Jurisdiction of
Incorporation)

0-28740
(Commission
File Number)

05-0489664
(IRS Employer
Identification No.)

100 Clearbrook Road, Elmsford, New York
(Address of Principal Executive Offices)

10523
(Zip Code)

Registrant’s telephone number, including area code (914) 460-1600

(Former Name or Former Address, if Changed Since Last Report)

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 Section 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)).

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Item 1.01 Entry Into a Material Definitive Agreement.

On May 18, 2006 BioScrip entered into a letter agreement with Barry A. Posner, BioScrip's Executive Vice President, Secretary and General Counsel, confirming Mr. Posner's right to receive the termination benefits set forth in Section 5.2(b) of his employment agreement with BioScrip in the event BioScrip does not enter into a new employment or severance agreement with Mr. Posner on or before June 30, 2006. The foregoing summary is qualified in its entirety by reference to the complete text of the letter agreement, a copy of which is filed with this report as Exhibit 10.1.

Item 9.01 Financial Statements and Exhibits.

(c) Exhibits. The following information is furnished as an exhibit to this Current Report:

<u>Exhibit No.</u>	<u>Description of Exhibit</u>
10.1	Letter Agreement between BioScrip, Inc. and Barry A. Posner.

SIGNATURES

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 duly authorized.

Date: May 19, 2006

BIOSCRIP, INC.

By: /s/ David L. Frankel
David L. Frankel
Assistant Secretary and Assistant General Counsel

May 18, 2006

Mr. Barry A. Posner
Executive Vice President and
General Counsel
BioScrip Inc.
100 Clearbrook Road
Elmsford, New York 10523

Re: Employment Agreement

Dear Barry:

Reference is made to the Employment Agreement, dated as of March 1, 1999, by and between MIM Corporation (now known as BioScrip Inc.), a Delaware corporation, and yourself (as amended to date, the "Employment Agreement"). Capitalized terms used herein and not defined shall have the meaning ascribed thereto in the Employment Agreement.

This will confirm our agreement that notwithstanding (i) the expiration of the term of your Employment Agreement on March 31, 2006 and (ii) your agreement to waive the payment of any severance pending the negotiation of a new employment or severance agreement following the expiration of the term of your Employment Agreement, you shall continue to have the right to receive the termination benefits set forth in Section 5.2(b) of Employment Agreement in the event that the Company does not enter into a new employment or severance agreement with you on or before June 30, 2006, except that the period during which you shall be entitled to receive continuation of your Annual Salary as set forth in Section 5(b)(ii) shall be for a period of one (1) year from June 30, 2006.

Kindly signify your agreement to the foregoing by signing below.

BIOSCRIP INC.

By: /s/ Richard H. Friedman
Richard H. Friedman, Exec. Chmn.

Agreed and Accepted
May 18, 2006

/s/ Barry A. Posner
Barry A. Posner