

BioScrip, Inc.
Form 4
August 30, 2013

FORM 4

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

OMB APPROVAL

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STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF SECURITIES

Filed pursuant to Section 16(a) of the Securities Exchange Act of 1934, Section 17(a) of the Public Utility Holding Company Act of 1935 or Section 30(h) of the Investment Company Act of 1940

(Print or Type Responses)

1. Name and Address of Reporting Person *
HUBERS DAVID R

(Last) (First) (Middle)
100 CLEARBROOK ROAD

(Street)

ELMSFORD, NY 10523

(City) (State) (Zip)

2. Issuer Name and Ticker or Trading Symbol
BioScrip, Inc. [BIOS]

3. Date of Earliest Transaction (Month/Day/Year)
08/28/2013

4. If Amendment, Date Original Filed(Month/Day/Year)

5. Relationship of Reporting Person(s) to Issuer

(Check all applicable)

Director 10% Owner
 Officer (give title below) Other (specify below)

6. Individual or Joint/Group Filing(Check Applicable Line)
 Form filed by One Reporting Person
 Form filed by More than One Reporting Person

Table I - Non-Derivative Securities Acquired, Disposed of, or Beneficially Owned

| 1. Title of Security (Instr. 3) | 2. Transaction Date (Month/Day/Year) | 2A. Deemed Execution Date, if any (Month/Day/Year) | 3. Transaction Code (Instr. 8) | 4. Securities Acquired (A) or Disposed of (D) (Instr. 3, 4 and 5) | 5. Amount of Securities Beneficially Owned Following Reported Transaction(s) (Instr. 3 and 4) | 6. Ownership Form: Direct (D) or Indirect (I) (Instr. 4) | 7. Nature of Indirect Beneficial Ownership (Instr. 4) | | | |
|---------------------------------|--------------------------------------|--|--------------------------------|---|---|--|---|--------|---|---|
| | | | Code | V | Amount | (A) or (D) | Price | | | |
| Common Stock, \$.0001 Par Value | 08/28/2013 | | J ⁽¹⁾ | | 26,600 | D | Ⓛ | 0 | I | David R. Hubers 2010 GRAT No. 1 U/A/D 07/29/2010 ⁽²⁾ |
| Common Stock, \$.0001 Par Value | 08/28/2013 | | J ⁽¹⁾ | | 26,600 | A | Ⓛ | 42,362 | I | By The David R. Hubers Revocable Trust |

| | | | | | | | |
|--|------------|---|--------|---|---------------------------|--------|---|
| Common Stock, \$.0001 Par Value | 08/28/2013 | M | 11,200 | A | \$ 7.97 | 82,560 | D |
| Common Stock, \$.0001 Par Value | 08/28/2013 | S | 11,200 | D | \$ <u>12.23</u> (3) | 71,360 | D |

Reminder: Report on a separate line for each class of securities beneficially owned directly or indirectly.

Persons who respond to the collection of information contained in this form are not required to respond unless the form displays a currently valid OMB control number.

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(9-02)

Table II - Derivative Securities Acquired, Disposed of, or Beneficially Owned
(e.g., puts, calls, warrants, options, convertible securities)

| 1. Title of Derivative Security (Instr. 3) | 2. Conversion or Exercise Price of Derivative Security | 3. Transaction Date (Month/Day/Year) | 3A. Deemed Execution Date, if any (Month/Day/Year) | 4. Transaction Code (Instr. 8) | 5. Number of Derivative Securities Acquired (A) or Disposed of (D) (Instr. 3, 4, and 5) | 6. Date Exercisable and Expiration Date (Month/Day/Year) | 7. Title and Amount of Underlying Securities (Instr. 3 and 4) | 8. Amount or Number of Shares |
|---|--|---|---|--------------------------------------|--|--|---|--|
| Director Stock Option | \$ 7.97 | 08/28/2013 | | M | 11,200 | <u>(4)</u> 11/19/2013 | Common Stock, \$.0001 Par Value | 11,200 |

Reporting Owners

| Reporting Owner Name / Address | Relationships | | | |
|---|---------------|-----------|---------|-------|
| | Director | 10% Owner | Officer | Other |
| HUBERS DAVID R 100 CLEARBROOK ROAD ELMSFORD, NY 10523 | X | | | |

Signatures

David R. Hubers 08/30/2013

**Signature of
Reporting Person

Date

Explanation of Responses:

* If the form is filed by more than one reporting person, *see* Instruction 4(b)(v).

** Intentional misstatements or omissions of facts constitute Federal Criminal Violations. *See* 18 U.S.C. 1001 and 15 U.S.C. 78ff(a).

(1) Distribution by grantor retained annuity trust in satisfaction of annuity obligation.

(2) Mr. Hubers' spouse is the trustee of the trust. Mr. Hubers' daughters are remaindermen of the trust.

The price reported in Column 4 is weighted average price. These shares were sold in multiple transactions in prices ranging from \$12.20 to \$12.31, inclusive. The reporting person undertakes to provide BioScrip, Inc., any security holder of BioScrip, Inc., or the staff of the

(3) Securities and Exchange Commission, upon request, full information regarding the number of shares sold at each separate price within the ranges set forth in this footnote.

(4) Fully Vested

Note: File three copies of this Form, one of which must be manually signed. If space is insufficient, *see* Instruction 6 for procedure.

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