UTAH SUES MAKER OF “WONDER DRUG” FOR MISLEADING CLAIMS

The Utah Attorney General’s Office filed a lawsuit today against pharmaceutical giant GlaxoSmithKline (GSK) for illegally marketing Avandia as a new “wonder drug” to combat type 2 diabetes. Attorney General Mark Shurtleff says the suit was filed because consumers were misled by the sale and promotion of the diabetic medication.

“Our office will continue to pursue drug companies that misrepresent the effectiveness of their drugs for economic gain and at the expense of the citizens of Utah and the State Medicaid program,” says Shurtleff. The complaint alleges GSK defrauded Utah out of $7.8 million, which represents how much the State Medicaid Program spent on Avandia between January 1, 2001 and June 30, 2010.

It is alleged that beginning in 1999, GSK misrepresented to the public and the Federal Drug Administration (FDA) that Avandia would reduce diabetic cardiovascular risks and was better at lowering blood sugars than other established drugs. However, the complaint identifies various studies, including one in the New England Journal of Medicine, that Avandia significantly increased diabetics’ risk of heart attacks and other serious cardiovascular events, as compared to some of the older established and less expensive drugs. Avandia was recently removed by regulators from the European market and the FDA has recently restricted its use in the USA.

“The State Medicaid Program paid significantly more for a drug that in fact was no more effective than traditional drugs that were less expensive,” says Assistant Attorney General Robert C. Morton, with the Utah Medicaid Fraud Control Unit. “Unlike the less expensive traditional drugs, Avandia exposed Utah Medicaid recipients to greater risks of heart attacks and other cardiac complications.”

“The state of Utah will continue to seek the most effective and safest treatment for its residents and expects pharmaceutical companies to fairly and accurately represent the safety and efficacy of their products. If the pharmaceutical companies breach that trust, then we will come after them.”


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