

Pharmaceutical companies need more protection

The latest casualty of the "war on drugs" is our pharmaceutical industry. This is exemplified by the recent Supreme Court ruling that failed to limit lawsuits against pharmaceutical companies for damages from prescription medications.

FDA approval isn't enough protection. The battle against a premier employer in our state may seem just and noble unless we understand why it is being waged and the resulting potential disaster.

There is no doubt that drugs can have dangerous side effects. The FDA protects us by regulating which drugs are actually brought to market. However, all side effects cannot be predicted. There is tremendous variation. Some are a total surprise.

My own experience was feeling lousy, with some serious symptoms, for almost five years. Because I live in one of these atypical bodies, I understand the frustration and despair of people injured by prescription drugs. The loss of a limb, a stroke, brain damage or, especially, death is devastating. I probably could have sued several pharmaceutical companies and won big settlements. A friend has multiple sclerosis. When Tysabri was temporarily removed from the market, her symptoms worsened. After more research, the drug became available again, but only after her body had some permanent damage. She tells me that she would have taken the interim risk.

One of my patients got almost miraculous relief from Vioxx until it was removed from the market. Then her pain returned. My veterinarian tells me that phenylpropanolamine benefits both animals and humans. A colleague tells me that in the early 1990s, the cost for clozapine, which reduces symptoms of mental illness — never mind saves taxpayers state institution costs — was one-third to one-half more in our country. This was di-

rectly attributed to our combative tort laws.

A recent article stated, "Some doctors may give up vaccines because of cost." A few years ago we had a shortage of flu vaccines. The cost of potential lawsuits makes it unfeasible to produce the vaccine domestically.

The New York Times recently featured an article about how many ingredients of prescription drugs are now being manufactured in China. We have no control over what happens with overseas pharmaceutical production. The FDA has very limited ability to even inspect those plants. Local pharmaceutical companies increasingly relocate out of our country. The brain drain of domestic scientists worsens. Jobs are lost. Whole communities are devastated.

What is wrong with this battle plan? We spend billions on the "war on drugs," but refuse to accept that it costs increasing billions of dollars to bring a prescription drug to market. Most do even not make it to market. Careful, exacting, time-consuming, expensive research sends them back for improvement. Never mind the costs of training the researchers who do the work.

The war that we are waging on the pharmaceutical industry is as with other industries. Excellence isn't good enough for us. We want perfection. We want it at absolutely no cost. And when we don't get it, someone has to pay. It's not our responsibility to monitor our symptoms, to make decisions, or to take calculated risks. Lawsuits ravage the financial ammunition to make new drugs.

We need to understand that high-quality, cutting-edge prescription drugs are expensive. We have to pay for them if we want them. Instead, we are paying in other ways. We are losing this war. The carnage is innovation and creativity. The cost of the real casualty, our quality of life and our health, is incalculable.

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