POLICY & PRACTICE

Penalties for Faux-tox

The case involving distribution of counterfeit Botox for use in humans came to a close in a Florida courtroom in January when U.S. District Court Judge James I. Cohn handed down fines and jail sentences. Naturopaths Chad Livdahl and Zarah Karim both pled guilty in November 2005 to charges related to their role in the scheme, which involved purchasing and then selling to other health care providers thousands of vials of botulinum toxin type A and other ingredients designed to mimic Botox. Mr. Livdahl was sentenced to 9 years in jail and Ms. Karim was sentenced to nearly 6 years in prison. Dr. Bach McComb, who pled guilty to one count of misbranding a drug in interstate commerce, was sentenced to 3 years in prison and Dr. Robert Baker, who pled guilty to one count of mail fraud, was sentenced to 180 days of home detention. "Doctors and medical practitioners have a solemn duty to those for whom they care," R. Alexander Acosta, U.S. Attorney for the Southern District of Florida, said in a statement. "These defendants breached that duty and endangered the lives of their patients by selling deadly toxin packaged in harmless-looking vials." These convictions follow license suspensions or restrictions for at least 10 Florida physicians, including several dermatologists, for their role in purchasing the unapproved drug ("Botulism Disaster Helps Uncover Fake Botox Market: Four physicians indicted on federal charges," SKIN & ALLERGY NEWS, May 2005, p. 1).

Vitamin D Controversy

It's unsafe and unnecessary for people to expose themselves to harmful doses of ultraviolet radiation in an effort to maintain the proper levels of vitamin D, according to a literature review published in the February issue of the Journal of the American Academy of Dermatology. In the latest chapter in the fight over the importance of sunlight in meeting vitamin D requirements, Dr. Barbara A. Gilchrest and Dr. Deon Wolpowitz of Boston University advise the public to get their vitamin D through fortified foods and nutritional supplements, not unprotected sun exposure. In the article, they noted that incidental, protected sunlight along with foods rich in vitamin D can easily provide young, fair-skinned individuals—who are often targeted by the tanning industry—with the appropriate amount of vitamin D.

Ben Franklin's Psoriasis

Psoriasis Cure Now, a patient advocacy group, has named Benjamin Franklin as its "greatest American with psoriasis" in an effort to raise awareness of the disease and increase federally funded psoriasis research. The group arranged for a Franklin look-alike to distribute psoriasis information to congressional staffers recently on Mr. Franklin's 300th birthday. The group also is developing a pamphlet for children featuring Benjamin Franklin. "His story is striking because many people with psoriasis are suffering as much today as he did so long ago," Psoriasis Cure Now President Michael Paranzino said in a statement. In his writings, Mr. Franklin referred to his psoriasis as a "troublesome disorder" and noted that it had flared up at the time he helped draft the Declaration of Independence and during his years in France where he lobbied for French support of the Revolutionary War. More information is available online at www.ben300.org.

E-Prescribing Pilots

Officials at the Centers for Medicare and Medicaid Services are launching pilots to study new e-prescribing standards that will be implemented in 2008. Under the Medicare Modernization Act, the initial e-prescribing standards must be tested through pilot projects this year, except where there is already adequate industry experience. Three standards were already adopted in a final rule published last November. The pilots will test standards related to formulary and benefit information, the exchange of medication history, prior authorization messages, and clinical drug terminology, among others. CMS also has asked participants in the pilot to consider the impact on quality of care, the impact on physician return on investment, and the possible cost savings. CMS is scheduled to report findings from the pilots to Congress in April 2007. The final standards will be issued no later than April 2008.

'Fair Share' for Health Care

Large employers in the state of Maryland will have to pay a "fair share" for health care under a new state law. Last April, the Maryland General Assembly passed the Fair Share Health Care Fund Act, which requires that employers with more than 10,000 employees must spend at least 8% of wages paid on health insurance, or pay the state the difference between what they do spend and 8%. The law was vetoed by Republican Gov. Robert Ehrlich, but the legislature overrode his veto in January. Currently, WalMart is the only employer in Maryland that is affected by the law.

—Mary Ellen Schneider