

POLICY & PRACTICE

'Grossly Excessive' Vioxx Verdict Tossed

A federal judge threw out a \$50 million damage award against Vioxx maker Merck & Co. in August, calling the amount "grossly excessive." Judge Eldon E. Fallon of the U.S. Eastern District Court of Louisiana ordered a new trial in the case of *Barnett v. Merck* on the grounds that "no reasonable jury" could have awarded the plaintiff \$50 million in compensatory damages. In his ruling, Judge Fallon said he found no problem with the \$1 million in punitive damages award in the case, but that the jury in the new trial would have to address both issues. A New Orleans jury found in favor of the plaintiff Gerald Barnett earlier in August. Mr. Barnett, a retired special agent with the FBI, claimed that Vioxx (rofecoxib) was responsible for his 2002 heart attack. In the original trial, the jury found that Merck was negligent in failing to warn Mr. Barnett's treating physicians of the medically known risk associated with the drug.

Psoriatic Arthritis Resources

The National Psoriasis Foundation has partnered with Abbott to provide psoriatic arthritis patients with online tools to manage their symptoms. The Web site—www.psoriasis.org/PATH—offers information on diet, exercise, and reducing stress. The content was designed with input from a rheumatologist, psychologist, dermatologist, dermatology nurse, cosmetology instructor, and patients with psoriatic arthritis. "It is essential that health care providers form a partnership with patients to facilitate a comprehensive treatment plan that addresses the medical,

emotional, and social impacts of the potentially crippling disease—psoriatic arthritis," Dr. Lester Miller, of the division of immunology and rheumatology at Stanford (Calif.) University, said in a statement.

DEA Reverses Pain Rx Restrictions

A new proposal from the U.S. Drug Enforcement Administration would allow physicians to issue up to a 90-day supply of schedule II controlled substances in a single visit. The notice of proposed rule making, which was issued in September, is open for public comment until Nov. 6. If finalized, the proposal would reverse the agency's previous position that physicians must write new prescriptions each month. Instead, physicians would be able to issue three monthly prescriptions at once, specifying the fill date for each prescription. DEA Administrator Karen P. Tandy said in a statement: "Physicians acting in accordance with accepted medical practice should be confident that they will not be criminally charged for prescribing all appropriate pain medications." The American Academy of Pain Medicine praised the proposal, noting in a statement that it could help eliminate the burden on cancer patients and others with chronic pain who have been forced to visit their physician every month for a new prescription.

Raising Paget's Disease Awareness

Officials at the National Institutes of Health are aiming to get seniors better informed about Paget's disease of bone by adding information on the condition to the agency's senior health Web site. The site—

www.NIHSeniorHealth.gov—was designed by the National Institute on Aging and the National Library of Medicine to offer health information to older adults. Officials plan to add information on clinical trials, nutrition, and falls to the Web site in the future. The new information on Paget's disease includes symptoms and complications; information on diagnosis, treatment, and research; and a link to relevant Medline Plus information. Providing such medically accurate information is especially important since about 60% of seniors who have Internet access seek health information when they go online, according to NIH. "The good news is that Paget's disease of bone is treatable, especially if it is diagnosed early," Dr. Stephen I. Katz, director of the National Institute of Arthritis and Musculoskeletal and Skin Diseases, said in a statement. "Information about diagnosis and treatment that can stop or slow the disease's progression is easily accessible on NIHSeniorHealth."

Public Concern Over Medicare Access

About 70% of Americans recently polled were unaware of scheduled cuts to physician payments under Medicare, according to the American Medical Association. The group commissioned a poll of U.S. adults in an effort to draw attention to the planned 5.1% Medicare payment cut set to take effect in 2007 and additional payment cuts planned over the next several years. The telephone survey, conducted in July, polled more than 1,000 adults in the United States. When told about the scheduled cuts to physician pay, 86% of those surveyed said they were concerned the cuts could affect seniors' access to health care. Dr. William A. Hazel, an

AMA board member, said during a press conference to announce the poll results, that the AMA is pushing Congress to take action this year to stop the 2007 cut from going into effect.

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