Policy & Practice

Vioxx Cases Dismissed

Merck & Co. will face fewer lawsuits related to its arthritis drug Vioxx thanks to a ruling by a New Jersey judge. Judge Carol Higbee of the Superior Court of New Jersey in Atlantic County dismissed about 50 Vioxx cases that had been filed in New Jersey—where Merck is headquartered—by plaintiffs from the United Kingdom, ruling that plaintiffs should pursue claims within their own legal systems. A U.S. District Court judge in New Orleans, where all federal Vioxx litigation has been referred, recently made a similar ruling that plaintiffs from France and Italy should file their claims within their own legal systems. To date, 10 Vioxx cases have gone to trial. Merck has won five cases and lost three cases. In addition, one Merck victory was set aside and a judge in New Orleans overturned the damages associated with a plaintiff's win.

Specialty Drug Demand Inelastic

Patients who need expensive specialty drugs will keep using the products even if they have to pay more—and that can drive up the cost of health care, said RAND Corp. researchers, who argued against tight restrictions and higher patient cost sharing for such drugs. The researchers used 2003-2004 data covering 1.5 million beneficiaries from 55 health plans to gauge private coverage for patients with four conditions—cancer, kidney disease, rheumatoid and/or psoriatic arthritis, and multiple sclerosis. They included drugs administered at physicians' offices and other nonhospital health care facilities. Health plan spending ranged from $3,200 per user for Lupron (leuprolide acetate), to $10,000 per user for Enbrel (etanercept), to $100,000 per user for recombinant factor VIII. Patients spent between $3,301 and $8,878 out of pocket on these four conditions. Writing in the September/October issue of Health Affairs, the researchers said their data showed that even if a plan doubled the patient's share, overall spending on specialty drugs by insurers would drop by only 1%-21%, depending on diagnosis. The study was supported by Amgen, the National Institute on Aging, and United Healthcare.

Supplement Use Undisclosed

More than one-fifth of individuals taking prescription drugs also took a nonvitamin dietary supplement in the last year, according to a study published recently in the Archives of Internal Medicine. Further, 69% of those who used both prescription drugs and supplements failed to tell a physician about their supplement use. The researchers analyzed data from the 2002 National Health Interview Survey, which included 31,044 respondents. Of prescription medication users, the highest rates of supplement use were among menopausal women (33%), individuals with chronic gastrointestinal disorders (28%), and individuals with severe headache or migraine (28%). More than one in five (22%) individuals who had taken prescription medication for arthritis, gout, or lupus reported supplement use during the last year.

Group to Study Sex Differences

The Society for Women's Health Research has launched a new division tasked with evaluating the role of sex differences in health and medicine. One of the goals of the new division—the Organization for the Study of Sex Differences (OSSD)—is to spur interdisciplinary collaboration among scientists and clinicians from various fields. "OSSD will provide researchers and clinicians from a broad spectrum of disciplines the opportunity to gain new insights into their areas of respective interest through sharing information about the impact of sex chromosomes on basic biological processes and disease expression," Kathryn Sandberg, Ph.D., president of the new organization, said in a statement. Cook Women's Health, a division of the medical device company Cook, provided the initial funding for the launch of the organization.

Coalition Seeks More FDA Funds

A coalition of strange bedfellows has joined together to call on the White House and Congress to increase funding for the Food and Drug Administration, saying that the agency's mission and responsibilities have expanded hugely while its appropriations have failed to keep up with inflation or with the growing largess going to other agencies such as the National Institutes of Health. That NIH investment will likely result in a large number of new products, all of which the FDA will have to regulate, according to the Coalition for a Stronger FDA. The agency also needs help coping with growing pharmaceutical, medical device, and food safety issues, the group said. The coalition includes the Consumer Federation of America, the Center for Science in the Public Interest, the Grocery Manufacturers Association, the Biotechnology Industry Organization, and the Advanced Medical Technology Association, among others. Serving as cochairs of the coalition are the last three secretaries of the Department of Health and Human Services.

—Mary Ellen Schneider