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Arkansas AG Suing JNJ Over Anti-Psychotic Drug Marketing

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DOW JONES

LITTLE ROCK (AP)--Drug companies improperly marketed an anti-psychotic drug, Arkansas Attorney General Dustin McDaniel claimed Tuesday as he asked a state judge to force the firms to repay millions shelled out by the state's Medicaid program for unnecessary prescriptions.

McDaniel filed a lawsuit in Pulaski County Circuit Court against Janssen Pharmaceutica Inc., Janssen LP and Johnson & Johnson Inc. (JNJ). In the filing, McDaniel said the companies "engaged in a direct, illegal, nationwide program of promotion of the use of Risperdal for non-medically necessary uses."

New Brunswick, N.J.-based Johnson & Johnson is the parent company of both Janssen Pharmaceutica and Janssen LP.

The lawsuit did not specify how much the state is seeking, but McDaniel has estimated that the state's Medicaid program spent about \$200 million over eight years to pay for prescriptions for Zyprexa, Seroquel and Risperdal. The lawsuit filed Tuesday focuses solely on Risperdal.

Gabe Holmstrom, a spokesman for McDaniel's office, said the state will file similar complaints about the marketing of the other drugs. McDaniel has said other companies that will be targeted include Eli Lilly and Co. (LLY) of Indianapolis and AstraZeneca PLC (AZN), a joint venture by a British firm and a Swedish firm.

McDaniel has said the drugs were prescribed for uses not approved by federal regulators or indicated in labeling. McDaniel accused the companies of deceptive marketing practices that pushed doctors to prescribe Risperdal much more than necessary.

The lawsuit also accuses drugmakers of not including warnings on Risperdal's bottle about adverse effects such as neurological problems, weight gain and diabetes.

Ambre Morley, a spokeswoman for Janssen, defended the company and said it fully disclosed all information about Risperdal to doctors and government agencies.

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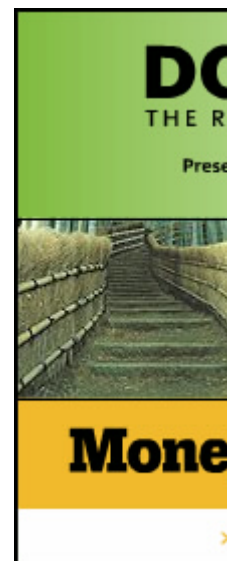
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