

## *Health*

### **TeenScreen: The lawsuits begin**

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June 14, 2005—The scheme concocted by the pharmaceutical industry and pushed forward by the Bush administration to screen the entire nation's public school population for mental illness and treat them with controversial drugs was already setting off alarms among parents all across the country. But in the state of Indiana, the alarm just got louder.

Taxpayers better get out their checkbooks because school taxes are about to go up as the lawsuits against school boards start mounting over the TeenScreen depression survey being administered to children in the public schools.

The first notice of intent to sue was filed this month in Indiana by Michael and Teresa Rhoades who were outraged when they learned their daughter had been given a psychological test at school without their consent.

In December 2004, their daughter came home from school and said she had been diagnosed with an obsessive compulsive and social anxiety disorder after taking the TeenScreen survey.

Teresa Rhoades always viewed her daughter as a happy normal teenager. "I was absolutely outraged that my daughter was told she had these two conditions based off a computer test," said Rhoades.

Attorney John Price, who is representing the Rhoadeses, confirmed that he had sent a notice of tort claim to both the school and Madison Center, which worked with the school system to administer the test.

This action means that the Rhoadeses are declaring their intent to file a lawsuit against both entities. Price said state law requires a notice of claim to be sent to any governmental agencies, including schools, before a lawsuit can be filed against them, according to the June 9, South Bend Tribune.

In the notice, Teresa and Michael Rhoades claim the survey was erroneous, improper, and done with reckless disregard for their daughter's welfare and that they did not give the school permission to give the test.

The parents allege that when their daughter took the test, she was improperly diagnosed with obsessive compulsive disorder and social anxiety disorder. That diagnosis, they claim, caused both the teen and her parents emotional distress, and the family intends to seek the "maximum amount of damages."

The Indiana child was diagnosed with two disorders, but there are many more.

If a teen doesn't like doing math assignments, parents should not worry. TeenScreen may determine that the child simply has a mental illness known as developmental-arithmetic disorder.

There's also a diagnosis for those children who like to argue with their parents, they may be afflicted with a mental illness known as oppositional-defiant disorder.

And for anybody critical of the of the above two disorders, they may be suffering the mental illness called noncompliance-with-treatment disorder.

No kidding, these illnesses are included in the more than 350 "mental disorders" listed in the American Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders, the insurance billing bible for mental disorders.

### **Tax Dollars Already Being Funneled to Pharma**

In addition to lawsuits, tax dollars are already funding TeenScreen and many of the drugs purchased by the new customers it recruits.

While promoting TeenScreen to Congress, its executive director, Laurie Flynn, flat out lied when she told members of Congress that TeenScreen was free and its website statement that "The program does not receive financial support from the government and is not affiliated with, or funded by, any pharmaceutical companies."

Last Oct 21, Bush authorized \$82 million for suicide prevention programs like TeenScreen and a report in Psychiatric Times said the administration had proposed an increase in the budget for the Center for Mental Health Service from \$862 million in 2004 to \$912 million in fiscal 2005. TeenScreen is sure to get a cut of those tax dollars.

Federal tax dollars are also being funneled through state governments to fund TeenScreen. On Nov 17, 2004, officials at the University of South Florida Department of Child & Family Studies said \$98,641 was awarded to expand the TeenScreen program in the Tampa Bay area.

In Ohio, under the governor's Executive Budget for 2006 and 2007, the Department of Mental Health has specifically earmarked \$70,000 for TeenScreen for each of those years, reports investigator Sue Weibert.

In June 2002, the Update Newsletter, published by the Tennessee Department of Mental Health, reported that 170 Nashville students had completed a TeenScreen survey. The newsletter said the survey was funded by grants from AdvoCare and Eli Lilly. Last I knew, Eli Lilly was a pharmaceutical company.

The great news for pharma was that 96 of the 170 students who took the survey ended up speaking to a therapist which no doubt resulted in the recruitment of 96 new pill-popping teens.

### **Tax Dollars Spent on Drugs**

Unbeknownst to many, taxpayers are already paying an enormous price as a result of marketing schemes designed to get students hooked on antipsychotic drugs. A list of drugs that must be prescribed for kids is already set up, modeled after a list used in Texas since 1995, called the TMAP. The list contains the most expensive drugs on the market.

The New York Times in May 2003 reported that national sales of antipsychotics reached \$6.4 billion in 2002, making them the fourth-highest-selling class of drugs, according to IMS Health, a company that tracks drug sales. By 2004, sales had jumped by over \$2 billion with antipsychotics sales totaling \$8.8 billion—\$2.4 billion of which was paid for by state Medicaid funds, according to the May/June 2005 issue of Mother Jones Magazine.

Here's how this part of the scheme works. The drug companies bribe state officials and donate money in the form of "educational grants" to the states to approve and implement these TMAP drug programs, and then in return, state Medicaid programs fund the cost of the drugs with tax dollars.

For instance, in Texas, Pfizer awarded \$232,000 in grants to the Texas Department of Mental Health to "educate" mental health providers about TMAP, and in return, the Texas Medicaid program spent \$233 million tax dollars on Pfizer drugs like Zoloft.

Johnson & Johnson (Janssen Pharmaceutica) gave grants of \$224,000 to Texas and Medicaid spent \$272 million on J & J's antipsychotic drug, Risperdal.

Eli Lilly awarded \$109,000 in grants to "educate" state mental health providers and as a result, Texas Medicaid spent \$328 million for Lilly's antipsychotic drug Zyprexa.

The TMAP was approved in Texas in 1995, and by February 9, 2001, an article in the Dallas Morning News, titled State Spending More on Mental Illness Drugs, reported: "Texas now spends more money on medication to treat mental illness for low-income residents than on any other type of prescription drug."

In addition to covering nearly 40 percent of the drugs for Medicaid recipients, the state also spends about another \$60 million a year on "hundreds of thousands of prescription drugs for other state-funded programs at the Texas Department of Mental Health and Mental Retardation and the Texas Department of Criminal Justice," the paper reported.

By the time the 2002–2003 budget was established, Texas lawmakers had to increase the amount of money allocated to the Department Of Health and Human Services by \$1 billion with a significant portion earmarked for prescription drugs, according to Texas officials.

In 1999, Ohio adopted its version of TMAP and by 2002 Ohio's Medicaid program was spending \$145 million on schizophrenia medications alone.

California spent over \$500 million in 2003 on the atypicals Risperdal, Zyprexa and Seroqual.

In 2002, Missouri Medicaid spent \$104 million on three TMAP drugs alone. The three topped the list of all other medications covered by Medicaid, including HIV, cancer, and heart drugs.

### **Chickens Come Home to Roost**

Pennsylvania taxpayers are now saddled with PennMap, its own version of the Texas list of expensive drugs for the treatment of mental illnesses, as a result of a the pharmaceutical scheme used to infiltrate public institutions and influence state officials and treatment practices.

It has since been revealed by whistleblowers Allen Jones and Stefan Kruszewski that the Pennsylvania officials who approved the drugs for PennMap were receiving improper or illegal financial rewards from drug companies involved in promoting the program.

Dr Stefan Kruszewski was hired as a psychiatric consultant for the Pennsylvania Department of Health and Human Services. He was in charge of the state's mental health and substance misuse programs to protect against fraud, waste, and abuse. He was fired after he uncovered corrupt relations between Pennsylvania politicians and pharmaceutical representatives and has since filed a whistleblower suit against the state.

Allen Jones was an employee of the Pennsylvania Office of the Inspector General, and revealed that state officials with influence over the PennMap program received financial benefits from drug companies that had a stake in getting PennMap accepted. Jones was fired after he made his discoveries known to the British Medical Journal and The New York Times when his superiors ordered him to stop his investigation. He also has filed a whistleblower suit.

Well, it looks like the chickens have finally come home to roost in Pennsylvania.

One of the officials that Jones named was Steven Fiorello. On April 15, the Associated Press reported a government panel found that Pennsylvania's top pharmacist repeatedly took money from Pfizer and other outside sources, violating ethics laws.

The state Ethics Commission fined Fiorello more than \$27,000 and referred the case to the state attorney general's office for possible criminal prosecution.

The commission cited repeated conflicts between Fiorello's unofficial activities and his official duties, which included serving on a panel that decides which drugs may be given to patients at the nine state mental hospitals. The report also cited repeated failures to disclose his income from drug companies, Pfizer and Janssen, and other outside sources.

It seems Fiorello became a member of Pfizer's "advisory council" around the same time he joined the PennMap panel. The council held annual meetings, apparently "to solicit input from health-care professionals to help Pfizer define its commercial strategies for its products," the commission said in the report.

The ethics committee also discovered a "Medical Director's Education Account," which was funded by unrestricted educational grants from pharmaceutical companies and that Fiorello himself had solicited funds for the account.

It was recently announced that these "educational" grants that have benefited state officials, who were in positions to approve the TMAP lists, are finally going to be investigated by a US Senate committee.

Last week, Senators Chuck Grassley (R-Iowa) and Max Baucus (D-Montana) issued a press release that said they have asked a number of large drug makers to explain a marketing practice where the companies give money to state governments and other organizations in the form of grants. The drug companies call the awards educational grants, but the senators are concerned that the dollars are more focused on product promotion than education, the release said.

Grassley is chairman and Baucus is ranking member of the Senate Committee on Finance, which has legislative and oversight responsibility for the Medicare and Medicaid programs.

In addition, on June 9, the senators sent a letter to drug companies that states in part, "The Committee seeks further information on this topic so that it can assess how educational grants are used, in what contexts and for what purposes, and who receives them."

The letter was sent to Pfizer, GlaxoSmithKline, Johnson & Johnson, Merck & Co, AstraZeneca Pharmaceuticals LP, Bristol-Myers Squibb, Novartis Pharmaceuticals, Amgen, Wyeth Pharmaceuticals, Eli Lilly, Sanofi Aventis, Eisai, Boehringer Ingelheim Pharmaceuticals, Schering-Plough Corporation, Hoffman-LaRoche, Forest Pharmaceuticals, Abbott Laboratories, Genentech, Biogen Idec, Genzyme Corporation, Chiron Corporation, Serono, and TAP Pharmaceutical Products.

The senators said their inquiry is based on reports that some companies have awarded these grants to health care providers as inducements to those providers to prescribe medications the companies produce. In other cases, such grants to state agencies may have prompted those agencies to develop programs leading to over-medication of patients at the expense of patient health or to unnecessary expense for taxpayers.

"We need to know how this behind-the-scenes funneling of money is influencing decision makers," Grassley said, "The decisions result in the government spending billions of dollars on drugs. The tactics look aggressive, and the response on behalf of the public needs to be just as vigorous."

This inquiry is needed because Pennsylvania is merely the tip of the iceberg. Many of the same tactics have been used in other states like Florida, where Jim McDonough, director of the Florida Office of Drug Control, is listed as an "advisor" to TeenScreen on its website. TeenScreen gifted McDonough's office with \$180,000 to get TeenScreen set up.

However, Executive Director Laurie Flynn is now crying foul because she doesn't feel the money has been put to good use since McDonough failed to get the program in all the schools as promised, in large

part because he met his match in Ken Kramer, an investigator for the Citizen's Commission on Human Rights (CCHR), a psychiatric watchdog group. Kramer is opposed to the drugging of children.

In Ohio there's Mike Hogan, director of the Ohio Department of Mental Health. He's hooked in with Parexel Medical Marketing, a front group that takes pharma money to set "advisory panels" for pharma. The panel memberships are made up exclusively of Mental Health, Medicaid and other directors from the various states. Michael Hogan is listed as an advisory board member.

The panel members are treated to trips, first class accommodations and other perks in exchange for showing up and listening to a spiel by Janssen sales personnel who direct the course of the meetings. The same kinds of meetings that Fiorello attended.

Hopefully, it will be just a matter of time before the Senate committee disbands this gang of pharma-backed government pill-pushers.

### **Trying to Save the Children**

Dire warnings against mass mental health screening are coming from every segment of society, including parents, physicians, academics, journalists, and human rights groups, because the influence of the pharmaceutical industry in this scheme is so patently obvious.

People are particularly worried about saving the children from senseless and dangerous drugging. According to long-time anti-child drugging advocate, Doyle Mills, "Psychiatry has a long history of abject failure. Psychiatric treatments—drugs, electroconvulsive therapy, lobotomies—have harmed millions and robbed them of any hope of a normal life."

Expert records researcher Ken Kramer, who has been fighting against child drugging for years, has conducted a research project on child suicides in Florida that determined that medicating kids with the types of dangerous mind-altering drugs on these lists is causing suicide. He helped defeat TeenScreen's attempt to gain access to schools in two of Florida's largest counties. Ken has a TeenScreen website at [www.psychsearch.net/teenscreen.html](http://www.psychsearch.net/teenscreen.html).

Dr. Karen Effrem, a pediatrician and strong opponent of mandatory screening recently warned, "Universal mental health screening and the drugging of children . . . needs to be stopped so that many thousands if not millions of children will be saved from receiving stigmatizing diagnoses that would follow them for the rest of their lives. America's school children should not be medicated by expensive, ineffective, and dangerous medications based on vague and dubious diagnoses."

In a letter to the editor in the Washington Times on October 31, 2004, Effrem summed up the dangers of using tax dollars to fund mass mental health screening of children: "Given the very real problems of already existing coercion, subjective criteria, dangerous and ineffective medication, and the failure of screening to prevent suicide . . . Congress would be wise to withhold the \$44 million requested for state grants."

The nation's first lawsuit notice has been filed and let it serve as a warning to other schools across the country to think twice before allowing the TeenScreen recruitment scheme to zero in on their students.

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