

State Joins Global Settlement with Endo Pharmaceuticals



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State Joins Global Settlement with Endo Pharmaceuticals Resolving Inappropriate Marketing Allegations

For immediate release

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HARTFORD – Connecticut has joined a federal-state settlement with Endo Health Solutions Inc. and Endo Pharmaceuticals Inc. to resolve allegations that the companies inappropriately marketed the drug Lidoderm for conditions not approved by the Food and Drug Administration (FDA), Attorney General George Jepsen, Chief State's Attorney Kevin T. Kane and state Department of Social Services (DSS) Commissioner Roderick L. Bremby announced today.

The states alleged that, between March 1999 and December 2007, the companies promoted the sale and use of Lidoderm for conditions for which it had not been approved, including for use in connection with lower-back pain and chronic pain, which were not medically accepted indications and were not accepted by state Medicaid programs. Lidoderm is FDA-approved only for the treatment of pain associated with post-herpetic neuralgia, more commonly known as shingles.

The companies agreed to pay the states and the federal government \$172.9 million to resolve the civil allegations. The portion of the settlement attributable to the state and federal shares of Connecticut's Medicaid program is \$1,080,085, of which \$533,404 represents the net state share. Connecticut will receive an additional \$79,973 for state-specific prescription drug programs administered by DSS.

"Improper marketing of drugs leads to false and fraudulent claims against our Medicaid program," said Attorney General Jepsen. "We take allegations of fraud and abuse very seriously, and we will continue to work to hold accountable those who seek to defraud our taxpayers. I thank the Chief State's Attorney and the Department of Social Services for their continued partnership in these matters."

Chief State's Attorney Kane commended the Medicaid Fraud Control Unit in the Office of the Chief State's Attorney, the Office of the Attorney General and the Department of Social Services for their continued efforts to recover scarce public resources and protect the integrity of the Medicaid program.

Commissioner Bremby said, "This settlement is another indication of the need for constant vigilance in protecting Medicaid beneficiaries from unapproved claims by pharmaceutical providers. It also reflects the fact that every taxpayer dollar is important to safeguard from abuse. We thank the Attorney General's Office and Chief State's Attorney's Office for their involvement in Connecticut's share of this settlement."

The company has also settled criminal allegations related to the case, will pay a \$20 million criminal fine and has entered into a deferred prosecution agreement with the Northern District of New York and a Corporate Integrity Agreement with the Department of Health and Human Service's Office of the Inspector General.

Anyone with knowledge of suspected fraud or abuse in the healthcare system is asked to contact the Medicaid Fraud Control Unit in the Office of the Chief State's Attorney at 860-258-5986 or by email at conndcj@ct.gov; the Attorney General's Antitrust and Government Program Fraud Department at 860-808-5040 or by email at ag.fraud@ct.gov; or the DSS fraud reporting hotline at 1-800-842-2155 or by email at providerfraud.dss@ct.gov.

[Please click here to view the settlement documents.](#)

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