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MADIGAN SUES DRUGMAKER INSYS FOR DECEPTIVE SALES OF OPIOID PAINKILLER***Attorney General Madigan Accuses Drug Company of Selling Cancer Pain Medication to Non-Cancer Patients to Turn a Profit***

Chicago — Attorney General Lisa Madigan today filed a lawsuit against the pharmaceutical company Insys Therapeutics, Inc. for deceptively marketing and selling Subsys, a highly addictive opioid drug significantly more powerful than morphine and intended exclusively for the treatment of breakthrough cancer pain, to physicians treating non-cancer patients for off-label uses like back and neck pain in an effort to rake in high profits.

Madigan alleges that Insys illegally marketed its painkiller to doctors who prescribed high volumes of opioid drugs instead of focusing its marketing on oncologists treating cancer patients, who are the intended recipients of the drug. Insys' irresponsible promotion of a prescription opioid is particularly concerning as studies indicate that people who abuse prescription opioids frequently move on to using heroin as a cheaper and more readily available alternative. In fact, according to the American Society of Addiction Medicine, four out of five new heroin users started their addiction by misusing prescription painkillers.

"This drug company's desire for increased profits led it to disregard patients' health and push addictive opioids for non-FDA approved purposes," Madigan said. "It's this type of reprehensible and illegal conduct that feeds the dangerous opioid epidemic and is another low for the pharmaceutical industry."

The lawsuit stems from Madigan's investigation into allegations that Insys was marketing Subsys broadly as a treatment for breakthrough pain associated with chronic conditions, including back and neck pain, despite the lack of FDA approval for those uses. Insys also pushed doctors to prescribe the higher and more expensive doses of Subsys, contrary to FDA mandates aimed at keeping patients on the lowest effective dose.

Madigan's investigation revealed that doctors across the country were rewarded for prescribing Subsys to non-cancer patients for off-label uses, including payments for sham speaking events and dinners at expensive restaurants. In Illinois, the top Subsys prescriber was Dr. Paul Madison, who wrote approximately 58 percent of the Subsys prescriptions in the state. Madison is an anesthesiologist who treats few, if any, cancer patients. More than 95 percent of the Subsys prescriptions written by Dr. Madison did not relate to breakthrough cancer pain. Madison was indicted by the U.S. Attorney's Office in Chicago billing insurers for procedures he did not perform.

Madigan's lawsuit against Insys seeks to permanently bar the company from selling its products in Illinois and impose financial penalties for violating the Consumer Fraud Act. Madigan's office continues to investigate other opioid manufacturers for similar practices.

Division Chief Deborah Hagan and Assistant Attorney General Paige Boggs are handling the lawsuit for Madigan's Consumer Protection Division.

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