

# NEWS RELEASE

*FOR IMMEDIATE RELEASE*

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**CONTACT:**

Jim Gottstein

907-274-7686

[jim.gottstein@psychrights.org](mailto:jim.gottstein@psychrights.org)

## **PsychRights Launches Campaign Against Medicaid Fraud With Model Lawsuit**

Today, the Law Project for Psychiatric Rights (PsychRights®) announced its launch of a national campaign against widespread, routine Medicaid Fraud in the administration of psychiatric drugs given to children and youth in foster care. "Anyone who submits or causes claims to be submitted to Medicaid for drugs that are not for a 'medically accepted indication' is committing Medicaid Fraud," said Jim Gottstein, president of PsychRights, "Those guilty of this Medicaid Fraud include psychiatrists and other physicians prescribing these drugs, their employers, and pharmacies submitting the false claims to Medicaid."

The federal False Claims Act, authorizes individual citizens to bring fraud actions on behalf of the Government. These cases are also called "whistleblower suits" or "*qui tam*," actions, and those who file them are entitled to a share in the recovery, if any. Extrapolating from Alaska data, PsychRights estimates there is over \$2 Billion in such fraudulent Medicaid claims being paid by the Government every year.<sup>1</sup> "This represents a tremendous opportunity for attorneys to do well by doing good. It seems particularly fitting for the victims of this harmful drugging to receive the whistleblower's share of the monetary compensation for this Medicaid Fraud," said Mr. Gottstein. Under the False Claims Act, a penalty of between \$5,500 and \$11,000 is assessed for each false claim in addition to triple the damages suffered by the government. PsychRights believes each prescription represents a false claim.

In launching the campaign, PsychRights released a [model \*Qui Tam\* Complaint](#) for use by attorneys. Mr. Gottstein will be presenting on how to conduct these lawsuits and the issues involved at two national conferences this coming September and October:

### **National Association for Rights Protection and Advocacy (NARPA)**

September 9-12, 2009, Phoenix, AZ

Advocacy for Rights in a New Era

<http://narpa.org/>

### **International Center for the Study of Psychiatry and Psychology (ICSPP)**

October 9-10, 2009, Syracuse, New York

Difficult Children and Families

<http://icspp.org/>

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<sup>1</sup> See, May 5, 2009 letter to Senators [Charles Grassley](#) posted at <http://psychrights.org>.

"Foster children are singled out for psychiatric drugging because they and their foster parents have almost no legal protections and no way they can refuse these damaging drugs," says Berkeley patients' rights attorney Ted Chabasinski. Chabasinski, a former foster child himself, was given electric shock treatment at the age of six over the protests of his foster parents as part of an experiment involving hundreds of foster children in the 1940's.

"Defenseless foster children and youth are being subjected to horrific abuse through psychiatric drugging," said Dr Peter Breggin, who has been raising the alarm about these drugs for three decades and whose 2008 book, [\*Brain Disabling Treatments in Psychiatry: Drugs, Electroshock, and the Psychopharmaceutical Complex\*](#), documents the harm caused by psychiatric drugs.

"These children are justifiably upset about what has happened to them and continues to happen to them, and instead of helping them deal with these legitimate feelings, they are labeled mentally ill and subjected to these very harmful chemicals," Dr. Breggin continued, "Some are even killed outright." Two children killed by such drugs that have drawn media attention are Rebecca Riley in Massachusetts and Gabriel Myers in Florida.

Grace E. Jackson, MD, author of the just released book, [\*Drug Induced Dementia\*](#), stated, "The pervasive prescribing of psychiatric drugs to children and adolescents is one of the greatest public health crises in the history of modern medicine. We will quite likely see an epidemic of early-onset dementia in 40 to 60 year olds as these children and adolescents grow up. Tragically, many will die prematurely a result of the physical harm caused by these drugs."

Neurologist/child neurologist Fred A. Baughman Jr., MD, author of [\*The ADHD Fraud: How Psychiatry Makes "Patients" of Normal Children\*](#), noted, "No real illness, disease or physical abnormality (gross, microscopic or chemical--during life or at autopsy) has ever been found for psychiatric diagnoses. Without such an abnormality, the psychiatric drugs now being prescribed to children and adolescents serve no legitimate medical purpose: they are chemical restraints, toxins, poisons. An unknown number of children are permanently injured and killed by these drugs because the entirely voluntary system for reporting adverse drug reactions to the Food and Drug Administration and MedWatch assures that the actual numbers will never be known."

The Law Project for Psychiatric Rights is a public interest law firm devoted to the defense of people facing the horrors of forced psychiatric drugging and electroshock. PsychRights is further dedicated to exposing the truth about psychiatric interventions and the courts being misled into ordering people subjected to these brain and body damaging drugs against their will. Extensive information about these dangers, and about the tragic damage caused by electroshock, is available on the PsychRights web site: <http://psychrights.org/>.

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