Addressing Psychotropic Drugs, Forced Medication and Children

Second Annual Rethinking Psychiatry Symposium
Portland, Oregon, May 11, 2012

James B. (Jim) Gottstein, Esq.
Law Project for Psychiatric Rights
Jim.Gottstein@psychrights.org
http://psychrights.org/

While Some People find Neuroleptics Helpful, They Are:
- Causing Massive Amount of Harm
- Now Cutting Life Spans by 25 Years on Average
- Cutting the Recovery Rate At Least in Half
- Mostly the Cause of the 6-fold Increase in Mental Illness Disability Rate
- Hugely and Unnecessarily Expensive
- Inflicting Tremendous Unnecessary Human Toll

SSRI Antidepressants
- Increase Suicidality & Violence
- Addictive
- Mostly No Better than Placebo
- Lose “effectiveness” over time
- Cause Mania Bipolar Diagnoses
- Explosion of “Rapid Cycling Bipolar Disorder”

The Transformation of Bipolar Disorder in the Modern Era

<table>
<thead>
<tr>
<th></th>
<th>Pre-Lithium Bipolar</th>
<th>Medicated Bipolar Today</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prevalence</td>
<td>1 in 5,000 to 20,000</td>
<td>1 in 20 to 50</td>
</tr>
<tr>
<td>Good long-term functional outcomes</td>
<td>75% to 90%</td>
<td>37%</td>
</tr>
<tr>
<td>Symptom course</td>
<td>Time-limited acute episodes of mania and major depression with recovery to euthymia and a favorable functional adaptation between episodes</td>
<td>Slow or incomplete recovery from acute episodes, continued risk of recurrences, and sustained morbidity over time</td>
</tr>
<tr>
<td>Cognitive function</td>
<td>No impairment between episodes or long-term impairment</td>
<td>Impairment even between episodes; long-term impairment in many cognitive domains; impairment is similar to what is observed in medicated schizophrenia</td>
</tr>
</tbody>
</table>

This information is drawn from multiple sources. See in particular Moody, N. “Disability and its treatment in bipolar disorder patients.” Bipolar Disorders 9(3):190-194.

Anticonvulsants Misbranded as Mood Stabilizers
- Can Cause:
  - Hostility, Aggression, Depression & Confusion
  - Liver Failure
  - Fatal pancreatitis
  - Severe & lethal skin disorders
- May Cause
  - Mild cognitive impairment with chronic use

**Benzodiazepines**
- Effective for only a few weeks
- Highly addictive
- Some people simply can not get off them
- Can cause mania
- Can cause violence

**Psychotic Symptoms**

**Forced Medication**

Due Process:
Fifth Amendment, U.S. Constitution
No person shall be . . . be deprived of life, liberty, or property, without due process of law.

Talk About Tomorrow

**Adverse Effects From ADHD Medications**
- **Physical:** Drowsiness, appetite loss, lethargy, insomnia, headaches, abdominal pain, motor abnormalities, tics, jaw clenching, skin problems, liver disorders, weight loss, growth suppression, hypertension, and sudden cardiac death.
- **Emotional:** Depression, apathy, a general dullness, mood swings, crying jags, irritability, anxiety, and a sense of hostility from the world.
- **Psychiatric:** Obsessive-compulsive symptoms, mania, paranoia, psychotic episodes, and hallucinations.

**Adverse Effects of SSRIs in Children**
- **Physical:** Insomnia, sexual dysfunction, headaches, gastrointestinal problems, dizziness, tremors, nervousness, muscle cramps, muscle weakness, seizures, and akathisia (associated with increased risk of suicide).
- **Emotional/Psychiatric:** Psychosis, mania, behavioral toxicity, panic attacks, anxiety, apathy, an emotional dulling. Also, doubling of risk of suicidal acts.
Iatrogenic Pathways to Bipolar Diagnosis

- Stimulants Bipolar Diagnosis
  - In a Canadian study, 6 percent of ADHD children treated with stimulants for an average of 21 months developed psychotic symptoms.
  - In a study of 195 bipolar children, Demitri Papolos found that 65 percent had “hypomanic, manic and aggressive reactions to stimulant medications.”
  - University of Cincinnati reported that 21 of 34 adolescent patients hospitalized for mania had been on stimulants “prior to the onset of an affective episode.”

- Antidepressants Bipolar Diagnosis
  - In the first pediatric trial of Prozac, 6 percent of treated children suffered a manic episode; none in placebo group.
  - Harvard University researchers find that 25 percent of children treated for depression convert to bipolar within four years.
  - Washington University researchers report that within 10 years, 50 percent of prepubertal children treated for depression convert to bipolar illness.

Adverse Effects With Atypicals

- Psychosis.
  - University of Maryland: Nine percent of children treated with antipsychotics for median time of 484 days developed tardive dyskinesia.
- Brain shrinkage and cognitive decline long-term.
- Early death

Summary of Long-term Worries With Psychotropics in Children and Youth

- Increased risk of disability (bipolar pathway)
- Physical ailments
- Emotional lethargy
- Cognitive decline
- Early death

Psychiatric Drugs & Children: A Monumental Disaster

- Prescriptions are Medicaid Fraud if not for a “medically accepted indication,” meaning, one that is either approved by the FDA or “supported by citations” in one of three drug compendia, including DRUGDEX.
- Anyone Can Sue On Behalf of Government to Recover for the Fraud and share in the recovery, if any.
8/15/2013

$ Billion Drug Company Settlements Haven’t Stopped Psychiatric Drugging of Children & Youth

- $1.4 Billion Lilly—Zyprexa (2009)
- $2.3 Billion Pfizer, including Geodon (2009)
- $520 Million AstraZeneca—Seroquel (2010)
- $258 Million Janssen—Risperdal (2010)
- $313 Million Forest Labs—Celexa & Lexapro (2010)
- Cost of doing business.
  - Caps Liability
  - Doctors Still Prescribing It
  - Medicaid Still Paying

Medicaid Fraud Initiative

- Designed to Stop Harmful Practice by Causing Doctors (& other defendant classes) to Realize Inviting Financial Ruin if Continue
- Model Complaint
- Cases Percolating in Various States
  - 2 Alaska & 1 Illinois Cases Dismissed
  - Wisconsin Case Only Current One Known

Model Medicaid Fraud Complaint

- Drafted for Former Foster Youth to be relator
  - But anyone with “non-public” information can be relator
- Defendants:
  - Prescribers & employers
  - Pharmacies

Senate Investigation/GAO Report

- PsychRights Proposing (Briefing Paper to Sen. Begich):
  - Announce that outpatient psychotropic drug prescriptions for use in children and youth that are not for medically accepted indications are not covered under Medicaid, and will no longer be reimbursed; except
  - Where abrupt withdrawal from drugs that are not for medically accepted indications can cause serious problems, then allow reimbursement for responsible tapering; and
  - Grant amnesty from False Claims Act liability for all past prescriptions that are not for medically accepted indications.

Carpe Diem