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TO MICH HOUSE JUDICIARY COMMITTEE 10-25-23 HEARING
CHAIR KELLY BREEN ON S.B. 410

I URGE IMMEDIATE REPEAL OF MCL 600.2946(5) DRUG CO. IMMUNITY STATUTE

It does not serve the people of Michigan. It serves to achieve more dangerous drugs, and a more corrupt and less accountable drug industry. The idea of the statute to favor wealthy corporate defendants over injured Michigan residents **is not rational**. 97% of the American people are not subject to it, and have the right to sue. The drug industry has long been & continues to be among the most profitable of all industries. So profitable that they have lead all other industries in spending money on campaign donations and lobbying over the last 20 years. The industry has long spent more money on marketing than on R & D, and much of this is spent on legalized (and illegal) bribing or paying doctors in various ways to prescribe their drugs.

The drug industry has also proven to be among the most corrupt industries over the last 20 years, as a voluminous literature and numerous False Claims/Fraud lawsuits will attest to. A chronically corrupted and unreliable FDA is very much a part of the problem, and has allowed a greed-over-health industry culture to flourish. This statute steals any hope of justice from injured Michiganders in service of dangerous drugs and corporate irresponsibility. It is time to get rid of it.

THE FDA'S DRUG APPROVAL PROCESS IS UNACCEPTABLY DEFECTIVE AND DANGEROUS

FDA approval immunity is predicated on false assumptions about how well the FDA functions. Top Congressmen, FDA scientists, editors of the top medical journals, and the media have been saying for many years that the FDA is broken and failing its mission to protect the public health by assuring the safety & efficacy of drugs. The FDA has a culture and history of extraordinary bias against protecting the health and safety of the people for greed and power.

It has been common practice at the FDA for more than 50 years for senior staff to suppress, conceal, distort and playdown science showing drugs to be harmful or ineffective and also to intimidate, coerce, harass, alter the science and remove drug reviewers who sought to be honest and protect the public's health. Dr David Graham told Congress (2005): FDA scientists who raised safety concerns would be pressured or ordered to change their opinions or conclusions, stay silent and then removed from the process. FDA Drug reviewer Dr. Kavanaugh in 2012 said FDA managers did not want safety risks investigated "If we asked questions that could delay or prevent a drugs approval -which of course was our job-management would reprimand us" retaliate, etc. Whistleblowers said in 2009 letter to congress that FDA is "fundamentally broken" and that "systemic corruption and wrongdoing permeates all levels of FDA." Chairman Kennedy's Senate subcommittee reported in 1974 this same persistent pattern of harassment, retaliation and distortion of science when doctor/researchers raised drug safety concerns, 8-16-74, NY TIMES. In 2002 HHSOIG survey of FDA scientists 13 % said they were confident in FDA's final safety assessments, while 66% said they lacked confidence in the ability of FDA to monitor the safety problems of drugs on the market.

The FDA not only suppressed information that Antidepressants were ineffective and caused suicides & homicides in children, they even encouraged drug companies to hide the clinical trial data from the public. In 2007 Congress finally passed a law requiring that the results of all clinical trials be disclosed--not just those favorable to approval. Nice to know that all those who suffer harms and even die in the trials won't be doing it for nothing. However, the vast majority of those responsible for drug "science" don't want to comply with it and the FDA doesn't care to enforce it. Its 1st enforcement came in 2021, after many thousands of violations.

Thank you. Sincerely,