

**Written Testimony of Frederick W. Pauzar
Before the Government Reform Committee's
Subcommittee on Criminal Justice, Drug Policy, and Human Resources
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Chairman Souder, Representative Mica and other distinguished members of the Criminal Justice, Drug Policy and Human Resources Subcommittee, thank you for the opportunity to testify before you today.

My name is Fred Pauzar and I am the father of Chris Pauzar, a brilliant 22-year old man who died from a toxic dose of OxyContin 76 days ago, on November the 25th, 2003. Although the tragedy of losing a child is not something one should ever be forced to imagine, I will simply submit to you that the pain from this loss is so great it overshadows nearly everything else. Each life that can be saved through the enactment of proper legislation and regulatory standards and procedures will be a life whose potential for greatness, whose contributions to mankind, may still be achieved. Each premature and needless death - such as that of my own son - is a heart shattering occurrence that also deprives society of all the brilliance, all of the achievements, all of the greatness that will now never come to pass.

OxyContin was originally prescribed to my son for a minor shoulder injury, an injury for which he might have taken acetaminophen or ibuprofen. When he found it difficult to stop taking OxyContin, he was assured by his physician that its continued use was safe and he carried on. His frequency of dosage increased and, eventually, he was taking 200 milligrams or more per day. All along he was reassured that the long-term use of this drug wasn't harming him, both by his physician and by Purdue Pharma literature that suggested the appropriateness of prescribing OxyContin for pain that would be "...expected to persist for an extended period of time." He concluded logically that, the drug is suitable for use on an extended basis and that taking it on an extended basis would not be harmful.

When my son ultimately realized that he was uncontrollably addicted to this drug, experiencing flu-like symptoms and great physical and emotional distress when he stopped using it, he needed and sought regular group and private therapy and other medical support to detoxify and to learn to live without OxyContin in his life. Unfortunately, after breaking the pattern of daily use, he wrongly decided to take it into his body one more time, saying that "one more time won't kill me" on the evening that he died.

Since my son's death, since learning of the greatest pain any parent might experience, I have been stunned by the facts related to the marketing, prescribing, use and abuse of the drug that killed him. And I have been astounded that a clear and insidious correlation exists between the market penetration this drug has achieved and the toll of death it has left behind.

OxyContin came into existence in 1995, when Purdue Pharma deceived the U.S. Government by engaging in "...inequitable conduct before the Patent and Trademark Office..." (January 5, 2003, U.S. Dis. Judge Sidney H. Stein) in order to patent OxyContin. Its sales have literally skyrocketed, thanks in part to uniquely aggressive advertising and the promulgation of performance claims that have not held up to scrutiny.

In 1995 and 1996 it was sold as a chronic pain medication for use with cancer patients. Then in 1997 Purdue Pharma began to push this drug into new markets such as back pain and injury. At the same time the company reached down into moderate pain treatment, it adding a more potent dosage, beginning the manufacture of 80-milligram tablets to complement the smaller 10, 20 and 40-milligram pills already on the market. By 1998, fully two-thirds of all Oxy prescriptions issued are for non-cancer pain.

Cleverly, Purdue Pharma paid for hundreds of physicians to ravel on junkets where they were educated about the benefits of OxyContin, a Schedule II drug without a “ceiling” on dosage. Those physicians were, in the manner of a pyramid building fashion, told they would be paid speakers’ fees for talking to other doctors about the benefits of OxyContin

By 1999, Purdue Pharma’s objectives included a reach toward one-half billion dollars in sales of their star drug, with their marketing efforts targeting more groups including seniors with direct to consumer (DTC) advertising. Again, while the marketing effort seeks to aggressively broaden market penetration, the manufacturing side of the company delivers an even more potent tablet, a 160-milligram pill.

By 2001, Purdue Pharma had comfortably rocketed past the one billion dollar mark in sales from this single drug, with the Company noting in passing that the challenges presented by mounting evidence of OxyContin abuse in Florida, Maine, Ohio and other states “...will continue to be a threat to the continued success of OxyContin tablets.”

In 2002, OxyContin sales hit the \$1.2 billion level, representing more than 80% of Purdue Pharma’s total revenue and the vast majority of its profitability, due in part to the advantage handed Purdue Pharma by the FDA. As Purdue Pharma’s marketing group noted in the face of mounting evidence that deaths in Florida and other states from Oxy exceed deaths from heroin, “It is unlikely that an opioid approved by the FDA in the future will have as broad of an indication [or indicated usage] as OxyContin now enjoys.”

And in this regard Purdue Pharma is surely correct. With the unwitting actions of many fine physicians who relied on the marketing promises made by an aggressive Purdue Pharma sales force, with the calculated and illicit actions of a small percentage of doctors who abuse the system, and with a system that statewide and federally has been slow to recognize the danger of this drug and respond in appropriate fashion, the daily death toll continues to mount.

In Florida alone, more than one person dies on average each day from the intake of Oxy. The loss is truly incalculable but nonetheless devastating and real.

May you have the wisdom and the courage to deal effectively with this threat to our children and our society overall by taking effective steps to monitor and curb the improper marketing and use of this devastating drug. And may you never know the pain that I, along with thousands of parents before me and hundreds more since, now feel.

Thank you.

