

Drug Enforcement Agency Stripped of Role on New Painkillers

Marc Kaufman, Washington Post, 2005-11-05

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A House-Senate conference committee yesterday dropped a controversial provision that gave the Drug Enforcement Administration authority to review, and potentially block, the sale of all new prescription narcotics.

The legislation, promoted by Rep. Frank R. Wolf (R-Va.) and attached to a multi-department appropriations bill, passed last year with little notice. But this year the Food and Drug Administration, many drug makers and doctors who treat pain patients objected to renewing it, and the provision was stripped from the bill.

Opponents said the provision was an unwarranted intrusion by a law enforcement agency into the FDA's drug-review system. Pain specialists also said the DEA reviews could jeopardize development of new drugs needed by patients with chronic pain.

Wolf's spokesman, Dan Scandling, said that Congress had missed an opportunity to better control the sale of powerful new narcotic painkillers.

"The goal behind it was to prevent another OxyContin," he said, referring to the popular painkiller that has been subject to abuse. "Now that oversight isn't going to be there."

John Scofield, spokesman for the House Appropriations Committee, said the provision was dropped at the request of the Senate, which did not include it in its version of the appropriations bill.

The dispute over the measure, and the almost \$50 million in additional DEA funding attached to it, reflect a wider debate over the DEA's proper role in monitoring the use of prescription painkillers.

The agency has arrested scores of doctors, pharmacists and other health-care workers accused of negligence or willful diversion in dispensing prescription narcotics that were later abused. Pain doctors complained that, as a result, many physicians have stopped prescribing needed painkillers.

The same conference committee also approved language proposed by Rep. Anne M. Northup (R-Ky.) that would bar the Office of the U.S. Trade Representative from including provisions in future trade agreements that would make it almost impossible to import prescription drugs from foreign countries.

The last three agreements -- with Singapore, Australia and Morocco -- included language that barred importation of drugs even if the practice were legalized in the future.

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