The federal government's war on drugs has turned into a witch hunt for doctors who legitimately prescribe legal painkillers, says a California physician who claims he was the target of an unethical federal investigation.

"The war on drugs has become a war on sick people," Dr. Frank Fisher said Friday. "The war on drugs has morphed into a war on patients, and the doctors are caught in the crossfire."

Fisher said the battle has erupted in Billings, where the Drug Enforcement Administration is investigating neurologist Richard A. Nelson. Nelson treated multiple chronic-pain sufferers with opioids, or narcotic painkillers, until federal agents raided his West End clinic three months ago.

Fisher, whose general practice clinic near Redding, Calif., was shut down in 1999 by the DEA, spoke during a press conference in Billings on Friday.

"My patients were tossed into the street and told to fend for themselves," Fisher said. "Up at the county clinic, they thought they were addicts, and they detoxed them."

Fewer than 10 percent of Fisher's patients suffered from chronic pain, which he treated with narcotics.

Prosecutors charged him with five counts of murder, alleging that five of his patients died because of the medication he prescribed for them. One of them died after the vehicle in which she was a passenger crashed.

According to Fisher, the charges came after undercover agents posing as patients failed at least seven times to get him to write them prescriptions for fake symptoms.

Ultimately, the murder charges and 91 misdemeanor counts of medical fraud were dismissed. A jury acquitted Fisher of eight more fraud charges.

Fisher said it was all an attempt by the DEA to stop him from prescribing narcotic painkillers.

And it worked.
"I would like to treat chronic-pain patients," he said. "But it's too dangerous. It's suicidal."

Fisher and Siobhan Reynolds, president of the Pain Relief Network, said the DEA has brought its scare tactics to Montana.

"This situation developing in Billings is going on all over the country," Reynolds said during Friday's press conference. "Patients in pain are being summarily removed from care through action taken against their physicians."

When the DEA revokes a doctor's prescription-writing privileges - as it did in Nelson's case - people in pain are often left with nowhere to turn, she said. Many of Nelson's patients have said they cannot find another physician to treat them.

"People assume everyone is getting what they need, so if people turn up without meds, it must be because they did something wrong," Reynolds said. "People who need meds can't get them."

To that end, Reynolds, who lives in New York City, has spearheaded a petition drive in Billings asking the state's congressional delegation to initiate a Senate Judiciary Committee investigation into the DEA. She delivered 330 signatures on Friday to the office of Sen. Max Baucus, D-Mont.

Reynolds said the Pain Relief Network is in the process of opening a Billings office.

"We are going to keep on bringing it up until (these people) are no longer victims of predation by the DEA," she said.

Jan Johnson, a patient of Nelson's, said on Friday that shutting down legitimate sources for painkillers - such as Nelson's clinic - forces people to find the drugs another way.

"The entire thing is supposed to be stopping the illegal sale of drugs, but what it's doing is promoting it," Johnson said. "People are going to do that because they are in a lot of pain."

The DEA has not said why it is investigating Nelson, although the agency maintains that doctors who are doing nothing wrong should not fear investigation.

Fisher traveled to Billings this week to see for himself whether Nelson was a legitimate doctor or a drug dealer. After examining medical records and meeting with patients Friday morning, Fisher said Nelson was doing nothing wrong.

"I can tell you there's not a drug addict among them," he said of Nelson's patients. "He used (narcotics) cautiously and sparingly, and, from what I can see, he was doing a good job."
