

**FOR IMMEDIATE RELEASE****March 21, 2005**

WLF URGES BALANCED APPROACH TO PAIN MEDICINE POLICY

***(In re Dispensing of Controlled Substances for the Treatment of Pain,
DEA Docket No. 261)***

The Washington Legal Foundation (WLF) today filed comments with the Drug Enforcement Administration (DEA) of the U.S. Department of Justice cautioning the agency not to issue policy guidance that could deny legitimate pain medications to terminally ill patients or to patients with chronic pain. WLF filed its comments as a member of a coalition of medical groups, law enforcement groups, drug makers, and others known as the RX Action Alliance, headed by the Hon. Rudolph Giuliani. WLF's comments were joined by two patient groups, the Abigail Alliance for Better Access to Developmental Drugs and the Lorenzen Cancer Foundation.

WLF filed the comments in response to DEA's proposal to issue a new guidance document setting out federal policy with regard to the prescribing of pharmaceutical controlled substances to treat pain. On November 16, 2004, DEA withdrew an August 2004 guidance document, *Prescription Pain Medications: Frequently Asked Questions and Answers for Health Care Professionals and Law Enforcement Personnel*, which was the product of a collaborative effort between the medical community and federal law enforcement. That document sought a middle ground to prevent drug diversion while also serving patients in need. In its comments, WLF urged the agency to ensure that its new guidance likewise provides reassurance to physicians who engage in legitimate pain treatment and that it avoids overly-broad statements that would deter physicians from meeting *bona fide* patients' needs.

WLF is a public interest law and policy center with supporters nationwide. WLF has frequently advocated for the interests of sick Americans in the health care system through litigation, policy papers, and media outreach. WLF has published *Conversations with ... The Honorable Dick Thornburgh and The Honorable Rudolph W. Giuliani*, a discussion between former Attorney General Dick Thornburgh and former Mayor Giuliani regarding prescription drug regulatory issues, the nature of the prescription drug abuse problem, and strategies for addressing this problem.

The Abigail Alliance for Better Access to Developmental Drugs is a nonprofit organization based in Arlington, Virginia, dedicated to helping terminally ill patients obtain access to the medicines they need. The group is named for Abigail Burroughs,

an honors student at the University of Virginia. Abigail died of cancer on June 9, 2001, after she was stymied in her efforts to obtain new cancer drugs that her oncologist believed could save her life, but which were still in clinical trials. Abigail Alliance has numerous members and supporters who are suffering from terminal illness or who have lost family members to terminal illness.

The Lorenzen Cancer Foundation is a nonprofit organization based in Monterey, California, providing assistance to patients fighting pancreatic cancer. The Foundation maintains a large database of clinical trials of pancreatic cancer therapies, as well as current medical news, to aid these patients and their physicians in keeping up to date on the range of available treatment options for pancreatic cancer. The chairman of the Foundation is Lee Lorenzen, who founded it in response to the diagnosis and subsequent passing of his brother Gary Lorenzen due to metastatic adenocarcinoma of the pancreas.

* * *

For further information, contact WLF Senior Vice President for Legal Affairs David Price, (202) 588-0302. A copy of WLF's comments is posted on its web site, www.wlf.org. The web site of the RX Action Alliance is at www.rxactionalliance.com.