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Connecticut Joins \$1.2 Billion Settlement with Johnson & Johnson, Janssen Pharmaceuticals

For immediate release

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HARTFORD – Connecticut has joined with other states and the federal government in a \$1.2 billion global settlement with Johnson & Johnson and its subsidiary, Janssen Pharmaceuticals, Inc., that resolves allegations of unlawful marketing practices in promoting the sale of two antipsychotic drugs, Attorney General George Jepsen, Chief State's Attorney Kevin T. Kane, and Department of Social Services (DSS) Commissioner Roderick L. Bremby announced today.

Johnson & Johnson and Janssen allegedly promoted and marketed the two drugs, Risperdal and Invega, for uses that were not approved by the Food and Drug Administration (FDA) and for uses that were not medically indicated.

The states contend that during the period of January 1, 1999, through December 31, 2005, the companies promoted Risperdal for off-label uses; made false and misleading statements about the safety and efficacy of Risperdal and paid illegal kickbacks to healthcare professionals; and long-term care pharmacy providers to induce them to promote and prescribe Risperdal to children, adolescents and elderly patients when there was no FDA approval for the drug's use in these patient populations.

The states further contend that from January 1, 2007, through December 31, 2009, the companies promoted Invega for off-label uses and made false and misleading statements about the drug's safety and efficacy.

The companies agreed to pay the states and the federal government \$1.2 billion in to resolve the allegations, including approximately \$1.1 billion for state Medicaid programs. The portion of the settlement attributable to the state and federal shares of Connecticut's Medicaid Program is \$19,498,113, of which \$9,659,729 represents the net state share. Connecticut will receive an additional \$475,000 for state-specific prescription drug programs administered by DSS.

"Improper marketing of drugs leads to false and fraudulent claims against our Medicaid program and ultimately puts patients at risk," said Attorney General Jepsen. "We take allegations of fraud and abuse very seriously, and we will continue to work to hold accountable those who seek to defraud our taxpayers. I thank the Chief State's Attorney and the Department of Social Services for their continued partnership in these matters."

Chief State's Attorney Kane commended the Medicaid Fraud Control Unit in the Office of the Chief State's Attorney, the Office of the Attorney General and the Department of Social Services for their continued efforts to recover scarce public resources and protect the integrity of the Medicaid program.

“Connecticut’s settlement share of over \$10 million is a welcome development for taxpayers and our medical coverage programs,” said DSS Commissioner Bremby. “We greatly appreciate the work of the Attorney General, Chief State’s Attorney and their staffs in our ongoing efforts to safeguard the integrity of Medicaid and related programs.”

The companies will also enter into a Corporate Integrity Agreement with the U.S. Department of Health and Human Services, Office of the Inspector General, which will closely monitor the companies’ future marketing practices.

In addition to the civil fines and penalties, Janssen will plead guilty in federal court to a criminal misdemeanor charge of misbranding Risperdal in violation of the Food, Drug and Cosmetic Act. As part of the criminal plea, Janssen has agreed to pay an additional \$400 million in criminal fines and forfeitures.

Anyone with knowledge of suspected fraud or abuse in the healthcare system is asked to contact the Medicaid Fraud Control Unit in the Office of the Chief State’s Attorney at 860-258-5986 or by email at conndcj@ct.gov; the Attorney General’s Antitrust and Government Program Fraud Department at 860-808-5040 or by email at ag.fraud@ct.gov; or the DSS fraud reporting hotline at 1-800-842-2155 or by email at providerfraud.dss@ct.gov.

[Please click here to view Connecticut’s settlement documents.](#)

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