

June 19, 1995

Attorney General's Office  
Public Protection Bureau  
Barbara Anthony

One Ashburton Place Boston,  
MA. 02108

Dear Ms. Anthony:

Since May 1993, I have forwarded your office numerous documents relating to the questionable practices of Massachusetts's fertility clinics; and have asked your assistance in this matter. I have requested written notification of your office's intent and/or impression - but *I* have received no response. I am, once again, requesting the Attorney General's Office and Public Protection Bureau investigate this issue.

Please find enclosed a copy of my March 1994 letter as a review of the evidence available to the Attorney General's Office regarding the false, misleading and deceptive advertisement promoted by local fertility clinics.

In addition, please find enclosed two recent testimonies submitted by the Boston Fertility Society in which false, misleading, and deceptive information was delivered to the Massachusetts's Senate and the Massachusetts's Health Care Committee. These testimonies were presented as opposition to MA. House #1833, a proposed bill to regulate fertility clinics which, if enacted, would provide the beginnings of protection for the fertile and infertile consumers of 'assisted reproductive technologies'.

Please also find enclosed my own testimony in support of this bill, which begins with an expose of the false, misleading, and deceptive statements made by the Boston Fertility Society. To paraphrase my comments to the Health Care Committee on March 28, 1995: "If the Boston Fertility Society can deliver lies to the Massachusetts's Senate and the Massachusetts's Health Care Committee ... just imagine what they're saying to the vulnerable women on the other side of their desk."

The consumer, inquiring to fertility clinics and RESOLVE with genuine concerns about the safety of the drugs, is not receiving informed consent but rather receives false, misleading, and deceptive information. As a prime example: One drug, lupron, ACCORDING TO THE DRUG MANUFACTURER should NOT be used in fertility treatment and is not approved for use in fertility treatment by the FDA. Yet because the drug is approved for other reasons (i.e. prostate cancer), fertility doctors routinely use lupron in a fertility cycle - and mislead the consumer by "informing" them that lupron is FDA approved for fertility treatment.

How would the consumer know that the manufacturer and FDA does not wish or intend lupron to be used in a fertility cycle? The FDA, by nonapproval of lupron for the indication of fertility treatment, has stated its position. The manufacturer, by disclaiming in its product literature that lupron is a pregnancy category X drug and SHOULD NOT BE USED if "a woman is or may become pregnant" ... the manufacturer would appear not to be liable. The fertility doctor, able to prescribe an approved drug for whatever purpose s/he sees fit . . . would appear not to be liable. Who is protecting the consumer????????? It appears that no one is.

There are HUNDREDS of women who are seriously ill from lupron. I have had one medical malady after another since using lupron. There is a National Lupron Victim's Network. The lupron 'adverse reaction list', according to the FDA's Spontaneous Reporting System, and Physician Desk Reference, comprises a list of 576 different reactions/symptoms/diseases of which thousands of complaints have been reported. In obtaining the FDA's Summary Basis of Approval for lupron for the treatment of endometriosis, should I have been surprised to find dozens of pages missing, purges a-plenty, statements that NO dosing studies have EVER been done on women, several references to the "manufacturer's submission of heavily censored data", etc., etc.? Who is protecting the consumer?????????

To reiterate the essence of my previous pleas for help to you - this is a serious public health issue that is of major import to this era and this area, especially given the lucrative and expanding Boston fertility market. I ask you once again to investigate this matter and inform me of your intention(s). I would be willing to help in any way that I can, and, for the protection of the public - I ask only that you do the same.

Sincerely,

Lynne Millican R.N.

enclosures (6): - Boston Fertility Society's 1/21/95 testimony  
to MA. Senate

- Boston Fertility Society's 3/28/95 testimony to MA. Health Care Committee
  
- Lynne Millican's 3/21/94 letter to the MA. Attorney General's Office
- Lynne Millican's 3/28/95 testimony to MA. Health Care Committee, with attachments:
  - National Lupron Victim's Network study flier
  - Lupron Adverse Reaction List

cc The Federal Trade Commission  
cc Representative John Rogers  
cc Representative Ron Wyden  
cc Senator Kennedy  
cc Boston Women's Health Book Collective  
cc National Lupron Victim's Network  
cc President Clinton

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