

## **NEVADA AND AMGEN NATIONAL PHARMACEUTICAL CONSUMER SETTLEMENT**

In 2015, Attorney General Adam Paul Laxalt, along with the Attorneys General of 48 other states and territories, announced a settlement with Amgen Inc. to resolve allegations of deceptive trade practices concerning the medications Aranesp and Enbrel. Be it through an individual effort or a multi-state coalition, it remains a priority of the Attorney General's Office to protect the wellbeing of consumers throughout Nevada. This settlement will provide greater peace of mind that Amgen and companies like it will carefully consider the ways they advertise their medications' purpose and effects.

Amgen is required to pay a total of \$71 million to affected parties as part of the settlement. The state of Nevada will receive \$939,912.45.

The following is a summary of the settlement and the investigation leading up to it.

### ***Investigation***

The investigation into Amgen's practice resulted in the following allegations:

1. The medication Aranesp was designed to treat certain types of anemia caused by chronic renal failure and chemotherapy, but it was also advertised to treat anemia caused by cancer even though it had not been tested for that purpose.
2. Aranesp was also advertised for a dosing frequency longer than what was approved by the FDA.
3. A review of the effects of Aranesp claimed that the medication increased risk of death and other negative side effects.
4. The medication Enbrel was designed to treat conditions including moderate to severe plaque psoriasis. However, the drug was advertised for treatment of mild plaque psoriasis.
5. Enbrel was further advertised with exaggerated effectiveness while a review of the drug claimed it increased risk of infection or death.
6. For these practices, the complaint alleged that Amgen had conducted its business in an unfair or deceptive manner.

### ***Settlement Provisions***

To resolve the allegations of the complaint, Amgen agreed to the following provisions:

1. Amgen may not use compendia<sup>1</sup> listings or publications to promote Enbrel or any drug in the same class as Aranesp for an Off-Label use to a Health Care Professional;

---

<sup>1</sup> A drug compendium is typically a non-profit reference book listing drug strengths, quality, and ingredients.

2. Amgen shall not make a claim that is false, misleading, or deceptive;
3. Amgen must not present that Enbrel or any drug in the same class as Aranesp has any sponsorship, approval, characteristics, ingredients, uses, benefits, quantities, or qualities that it does not have;
4. Amgen must not allow Amgen Marketing and Amgen Sales to initiate interactions with a compendium or determine the content of any materials for submissions to a compendium relating to Enbrel or any drug in the same class as Aranesp; and
5. Amgen must distribute reprints from a scientific or medical journal with the FDA-approved prescribing information and a prominently displayed disclosure of unapproved new uses of the medication.

### ***Payments to Parties***

The settlement requires Amgen to pay \$71 million to the participating states. Of this, \$939,912.45 shall be paid to the state of Nevada.

### ***Supporting Documents***

For more details on the settlement, click [here](#).

Read the Nevada Attorney General Office press release [here](#).

To file a complaint with the Office of the Nevada Attorney General, click [here](#).