



DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
Office of Consumer Protection
News Release

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**HAWAI'I JOINS IN NATIONWIDE SETTLEMENT WITH DRUG
MANUFACTURER GLAXOSMITHKLINE OVER ITS
DIABETES DRUG AVANDIA**
Hawai'i to Receive Nearly \$1.3 Million Under Settlement

HONOLULU – Bruce Kim, Executive Director of the State of Hawai'i's Office of Consumer Protection, announced today that Hawai'i, together with 36 other states and the District of Columbia, reached a \$90 million settlement with GlaxoSmithKline LLC to resolve allegations that GlaxoSmithKline unlawfully promoted its diabetes drug, Avandia®.

The states allege that GlaxoSmithKline engaged in unfair and deceptive practices by misrepresenting Avandia's cardiovascular risks and safety profile.

"Consumers in Hawai'i have the right to expect that their health and well-being – and not profit – drives decisions about their health care," Kim said. "This settlement protects consumers and puts an end to questionable marketing claims involving GSK's diabetes medication."

As part of a stipulated judgment to be entered in the Hawai'i case, GlaxoSmithKline agreed to significant restrictions in how it markets and promotes its diabetes drugs in the future. Under the Hawai'i judgment, GSK may not:

- Make any false, misleading, or deceptive claims about any diabetes drug;
- Make comparative safety claims not supported by substantial evidence or substantial clinical experience;
- Present favorable information previously thought of as valid but rendered invalid by contrary and more credible recent information;
- Promote investigational drugs; or
- Misuse statistics or otherwise misrepresent the nature, applicability, or significance of clinical trials.

The Hawai'i judgment also has the following terms that are effective for at least eight years:

- GSK must post summaries of all GSK-sponsored observational studies or meta-analyses conducted by GSK that are designed to inform the effective, safe, and/or appropriate use of its diabetes drugs;
- GSK shall post summaries of GSK-sponsored clinical trials of diabetes products within eight months of the primary completion date;
- GSK shall register and post all GSK-sponsored clinical trials as required by federal law; and
- GSK shall comply with the ICMJE Uniform Requirements for Manuscripts submitted to Biomedical Journals.

"Hawai'i's judgment includes significant protections intended to stop GSK's alleged use of misleading claims in promoting its diabetes drugs. Pharmaceutical companies are put on notice that such conduct will not be tolerated when the health and safety of patients may be at risk," Kim said.

Hawai'i's share of the settlement is \$1,295,174.53.

The investigation was led by the Attorneys General of Oregon and Illinois with an Executive Committee consisting of the Attorneys General of Arizona, Florida, Maryland, Pennsylvania, Tennessee, and Texas. Also participating in the settlement are Alabama, Alaska, Arkansas, California, Colorado, Connecticut, Delaware, the District of Columbia, Hawaii, Idaho, Iowa, Kansas, Maine, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Jersey, North Carolina, North Dakota, Ohio, Oklahoma, Rhode Island, South Dakota, Vermont, Washington, and Wisconsin.

Hawai'i's Office of Consumer Protection was represented by Lisa Tong, a senior staff attorney in the Office of Consumer Protection.

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