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### **Mississippi Files Medicaid Fraud Lawsuit Against Eli Lilly Over Marketing For Off-Label Prescriptions**

Mississippi on Tuesday filed a lawsuit in Lafayette County Circuit Court against Indianapolis-based [Eli Lilly](#) over allegations that the pharmaceutical company improperly marketed the antipsychotic drug Zyprexa for "off-label" uses, "defraud[ing] the state out of millions of dollars in Medicaid reimbursements," the [Jackson Clarion Ledger](#) reports. The suit alleges that representatives for Eli Lilly convinced Mississippi doctors to prescribe the drug to patients who suffered from [anxiety](#), mood swings and disturbed sleep while the drug was approved only for treatment of [bipolar disorder](#) and schizophrenia. The suit also alleges that the pharmaceutical company did not properly emphasize the dangers of the drug, such as an increased risk of [diabetes](#). Those Medicaid beneficiaries who became ill from the drug consequently increased the state's Medicaid expenditures, the suit states. The suit alleges damages of \$30 million in prescription costs alone, and the state also will seek civil penalties, punitive damages and litigation costs, Tim Balducci, Mississippi special assistant attorney general, said. Zyprexa, which is among the top drugs paid for by Medicaid, was improperly marketed "in an attempt to expand the market share of the drug," Balducci said. He added that Eli Lilly targeted the state of Mississippi because its Medicaid system does not stringently oversee the prescription of drugs for off-label uses. Eli Lilly has 30 days to respond to the suit. A spokesperson for the company did not comment on the suit (Joyner, Jackson Clarion Ledger, 7/25).

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