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Whitmer Press Release

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Whitmer Calls for Senate Action on Michigan's Drug Immunity Law

Supreme Court Ruling Today is Latest Legal Decision to Debunk Senate Republicans' Opposition to Victims' Rights

LANSING-Senator Gretchen Whitmer (D-East Lansing) called on her Senate Republican colleagues today to take action on legislation that would allow Michigan residents the proper legal recourse when they or their family members are harmed or killed by a faulty prescription drug. Whitmer's call to action comes on the heels of a Supreme Court decision today that rejected defendant Wyeth Pharmaceuticals' claim that federal approval of its anti-nausea drug, Phenergan, should have shielded the company from lawsuits like the one filed by Diana Levine of Vermont.

"With today's announcement, the highest court in the nation-and others around the country-continue to discredit pharmaceutical companies' cries for limits on drug lawsuits in lieu of victims' rights," said Sen. Whitmer. "Yet Senate Republicans continue to take their cue from special interests and year after year obstruct legislation that would repeal Michigan's one-in-the-nation drug immunity law and stop treating Michigan residents like second-class citizens."

Michigan is the only state in the nation that shields big drug companies that make and sell harmful products from giving legal recourse to victims and their families. Michigan's drug immunity law affects victims of all defective and dangerous prescription drugs, including Vioxx, Celebrex, Rezulin and Fen Phen as well as the potential risks of new drugs not even on the market yet.

"Republicans argue that this will lead to loss of drug company jobs, but that's just ridiculous," Whitmer said. "Drug companies have been taking their jobs out of state even with this law in place, and no one can deny there's also an economic loss to the families of victims who have suffered enough."

Senate Bill 19, which would repeal Michigan's drug immunity law, is currently before the Republican-led Senate Judiciary Committee, and Sen. Whitmer plans on introducing additional legislation to address the ongoing injustice for victims of defective drugs.

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