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Lyme Disease Guidelines Focus Of Antitrust Probe

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Attorney General Richard Blumenthal said Thursday that he has launched an investigation into whether the Infectious Diseases Society of America has violated antitrust laws in setting new guidelines for diagnosing and treating Lyme disease.

The investigation, the latest chapter in a bitter controversy over the use of long-term antibiotics to treat Lyme disease, comes as the state Medical Examining Board wraps up a hearing for a New Haven doctor accused of violating standards of care in treating two young patients he diagnosed with the disease.

The attorney general's investigation, which could result in a lawsuit, revolves around guidelines set last month by the IDSA and since adopted by the Centers for Disease Control and Prevention. Blumenthal and others say the guidelines are being used by insurance companies to determine - and sometimes deny - coverage to people asking for certain types of treatment for Lyme disease.

The IDSA is an influential organization composed of 8,000 members with training in infectious diseases. A panel of physicians and scientists at the organization set the latest guidelines, which critics say are predicated on the belief that Lyme disease can be diagnosed by confirming specific, objective symptoms, such as the bull's-eye rash, and that it can be cured with a limited course of antibiotics.

But a smaller group of doctors and academics believe the medical establishment has it wrong and is effectively denying patients desperately needed treatment by setting such restrictive guidelines.

Blumenthal said the disagreement over Lyme disease, and the effect the new guidelines are having on Lyme disease patients, is what prompted him to look into the IDSA's conclusions and how they were reached.

"These guidelines were set by a panel that essentially locked out competing points of view," Blumenthal said. "Presumably, the IDSA is a non-profit making organization, but such organizations can still be used for anti-competitive purposes."

Blumenthal also said his office has received numerous complaints from both patients and doctors about the guidelines.

"One of the common complaints we've received relates to denials of insurance coverage, that XYZ insurer won't cover this form of treatment because the guidelines make no provisions for it," he said. "It's a very chilling economic effect."

Diana Olson, the director of communications for the IDSA in Virginia, did not return a call for comment Thursday.

The announcement of Blumenthal's investigation came as the medical board hearing against Charles Ray Jones continued Thursday at the Legislative Office in Building in Hartford.

Jones is considered by some to be one of the nation's leading pediatric Lyme disease physicians. He was charged last year by the state Department of Public Health with violating standards of care for two siblings who live in Nevada after a complaint was brought by their father. The father was involved in a custody dispute with the children's mother at the time he brought the complaint, according to previous published accounts.

Jones is accused of diagnosing the children with Lyme disease and prescribing antibiotics for the children over the phone, without having examined them, after their mother, an emergency room nurse, contacted him. He is also charged with failing to consider other reasons for their symptoms.

Jones, who has denied all the charges against him, could lose his medical license if the board finds against him.

About 150 former and current patients of Jones, along with their parents, packed the hearing room to show support for Jones. Also in the audience was Pat Smith, the president of the Lyme Disease Association Inc. in New Jersey.

Smith said the case against Jones, coupled with the new IDSA guidelines, comes at a time when doctors who don't subscribe to the established views on diagnosing and treating Lyme disease are being increasingly targeted.

"Oftentimes what is used against them is what is written in these guidelines," Smith said.

Diane Blanchard, the co-president of the Connecticut-based organization Time for Lyme, said the research on Lyme disease isn't conclusive enough yet to rule out entire realms of treatment.

"These guidelines are becoming the de facto standard of care and that is not OK," Blanchard said. "We are all guinea pigs at this point. Why would anyone think they have all the answers? It's not right."

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