

Testimony of

# Francine Haight

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Testimony to Judiciary Committee

Good afternoon. My name is Francine Haight. Thank you for inviting me to testify at this hearing about a very important topic that tugs at my heartstrings everyday. Many of the speakers here today will be giving you statistics and numbers. I am here to put a face to those numbers. I am very sad to say that face is Ryan's, my son. Unfortunately he was a victim of illegal sales of pharmaceuticals through the Internet.

Ryan was born on December 28, 1982 and died on February 12, 2001 from an overdose of prescription drugs he had purchased on the Internet. He was only 17 when he ordered the drugs, and only 18 when he died.

Ryan was an incredible boy. From the time he was little, I always believed that he would make a difference in this world. He was very intelligent and excelled in school. He loved math and science, was at the top of his class, was a GATE (Gifted and Talented Education) student in the elementary years, and then went on to take honors classes. He was an A student and maintained a 4.0 or above during his years in high school. He looked forward to going to college.

Ryan was athletic and loved the thrill of competition. In elementary school he played Little League Baseball and then became a top player in the Majors and made the All Star Team. He played Open Junior Tennis tournaments, and went on to play Varsity tennis for Grossmont High School in La Mesa, California. He loved to ski, snowboard, water ski, kneeboard, and attempted all sports with great enthusiasm. He loved to play billiards, bowl, and play ping-pong.

Ryan loved using the computer. He was thrilled to find out that he could easily chat online with his friends from school. He could send and receive email everyday. He could enter chat rooms and talk about educational and current events. He learned to surf the Internet. It was a perfect place for him to use for his papers in school, or to seek information he was curious about. Ryan used the computer to play games. He enjoyed trading baseball cards on EBay. Ryan was taking a computer graphics class in high school. He was considering a possible career with computers. But on February 12, 2001 that all stopped.

On February 12, 2001, I found Ryan in his bed, lifeless. I tried to resuscitate him, but could not bring him back. Ryan had died. I was in shock. Just the night before we had dinner together, after he came home from working at a nearby retail store. At midnight I kissed him goodnight and he said "Love You, Mom." Those were the last words I would hear from him. Ryan died from an overdose of Vicodin, a prescription drug. They also found small amounts of Valium and Morphine. I thought, how? How did he get these drugs? After one of his friends told us he got them off the Internet, we gave our computer to the DEA to investigate. Through their investigation, they found how Ryan had ordered the drugs. A medical doctor, Robert Ogle, whom

Ryan never saw and was never examined by, prescribed them, and an Internet pharmacy, Clayton Fuchs of Mainstreet Pharmacy, delivered them to our home. I was in shock. I thought how could this be possible? I am a registered nurse; Ryan's father is a physician. We know that all controlled substances have to be accounted for. We count each drug everyday, and all are charted when administered to a patient. They are under lock and key. How could he get them off the Internet so easily? At a time when we were worried about our children being exposed to pornography and predators, marijuana and alcohol, we did not know that drug dealers were in our own family room. Ryan did not have a computer in his bedroom; we always believed it should be in the main part of the house so that we could keep an eye on what our children were doing.

Through the DEA's investigation we also learned about web sites that have chat rooms that glorify the use of drugs. It was on one of these web sites where Ryan was confronted by a "drug dealer," who told him where he could go on the Internet to purchase drugs for experimental purposes, fun, and to make him feel better. I am appalled that these web sites are still up and running. It's still shocking to see kids go online to write about their "trips" on drugs. After a long investigation and trial, Dr. Robert Ogle and Clayton Fuchs, who together made millions by their drug dealings, were prosecuted by the United States Attorney in Dallas, Texas and are now in federal prison for the next 20 years. I attended the sentencing of Clayton Fuchs, and although it does give me some peace that justice was served, it does not bring Ryan back. I am still shocked at the ease and availability of buying controlled substances on the Internet. I still receive emails to purchase drugs daily. I was contacted by a woman who together with her 14 year old son decided to just see how easy it really was to buy drugs off the Internet. She was shocked to see how easy it was to get mind-altering, very addictive controlled substances. I receive messages like these from teenagers and adults often. Over the last few months, Ryan's story has been told in a documentary called "Online Nightmares" and produced by E Entertainment has aired about 15 times. I have received numerous emails from teens and adults. I feel it is important to read a few of these today to let you know how many people are affected by this on a daily basis.

1. I didn't know your son at all.. I saw you on T.V just about 1 hour ago and I know how it feels to loose a family member from drugs. I know that in your case it was a son but in mine it was a brother and my mother. All though my mom didn't die from drugs, she was in the car with my brother driving it under the influence of zanex. My mother did not know that he was under the influence but she thought something was wrong but she gave him the benefit of the doubt. I just want to let you know that everything your doing about stopping all these drug online sites that are giving them to kids is appreciated not only to me but too many. Thank you for holding in there and being so strong. I am 13 years old and I never thought that I could even live without my mother nor my brother but I've been getting through it everyday. Even though there is not a day goes by that I do not think of either of them nor cry about them. I guess you can say it just made me stronger. It also makes me believe drugs are not the answer to ANYTHING! Nothing at ALL. It also made a lot of other people in my town know that too. My brother was a very popular kind and sweet brother and just knowing that we can never have our bonds we used to have kills me inside. Everyday I fight to stay alive. Because everyday I think about killing myself. But i know that's not what my mom or brother would want me to do. Well thank you once again.

2. Just finished watching the E special of which a portion was about your son. I am so sorry to hear about his death. I am a youth pastor with my wife, and we have had a similar loss in our church. I think that there should have been some regulation and verification of his age on delivery.

3. I heard about your story on the special on E Entertainment, personally I feel part of the problem with online drugs sites is the spam that goes with it. Congress needs to take further action to stop this. Someone who is depressed who doesn't want to see anyone for help may get an email advertising Anti-depressants, if you notices in these types of emails that is what these drug sites mostly advertise and that is their target audience.

4. I was Ryan!! I didn't know how prolific these web sites were until I saw your program. I also ordered from them to feed my addiction to Tramadol. It ruined my marriage, and almost my career. I am not a teen, I am now 42 years old and there isn't a day that goes by that I don't think what could have happened. I now teach 8th grade English at a metro middle school in Oklahoma City.

Thank you for sharing Ryan's story. We shared it with our 16 year old daughter who we believe is experimenting with prescription medication. We too are shocked at how easy it is for children to get access to drugs. Rather it be school, the Internet, friends or all of the above.

5. Dear Francine: I definitely want to get on board with this issue and will contact my congressman.

I am actually not a youth. My story is that I was a 35 years old single mother with 9 years of sobriety from all mood altering substances when I started getting spam advertising "V I C O D I N" (just like that, all caps etc.). Of course, having been particularly fond of opiates but never really abusing them due to what I thought at the time was the difficulty of obtaining them, I checked out the sites. When I found that often no prescriptions were necessary, I was intrigued and began my relapse. I obtained codeine and ultram on line, neither as strong as vicodin or percocet but I would take up to 12 at a time. It was a nightmare. I was in school for a Masters degree in mental health counseling and would often be nodding out through class, and I'm ashamed to say, through my internship working with clients (I don't share this detail at a local level, due to the nature of the counseling profession). Eventually, I started drinking again as well and within a week my behavior was such that I was asked to take a leave from the grad program. This turned out to be a huge blessing because I did check myself into rehab and in my re-gained sobriety, I got my life back and so much more. Through what I can only call grace I did not lose my child, I did not get into an accident (which is so lucky because I was often very impaired when driving, again, I am deeply ashamed to say), I did not get arrested, and most importantly, I did not die (and leave my son motherless). But I so easily could have. Sometimes I felt like my heart muscle would burst. And although ultram is marketed as a narcotic alternative, it most certainly is addictive, induces a similar high, and is known to cause seizures, even at the prescribed level of one or two pills. I was very lucky and I shutter when I look back now, especially when I hear of stories such as your son's. I finished school and am working as counselor in the chemical dependency field. I love it because I understand my clients. For me, the story has a happy ending but so often I see in my work and elsewhere, it does not. I have lost several clients to oxycontin and other narcotics and that they are available on line still makes me

insane with rage and frustration. And that these pharmacies continue to call me and tell me that my "medicine" is ready to be shipped out reminds me often of the nightmare. The scary thing is, this disease of addiction is something recovering addicts have to fight everyday, and on days where I'm vulnerable, I could be in great danger when these peddlers call me. This is VERY SERIOUS. I don't think I would have relapsed had I not received that spam email.

I am so very sorry for your loss, Francine. God bless,

I told Ryan's story before the United States Senate Permanent Subcommittee on Investigations on June 17, 2004, after the introduction of the "Ryan Haight Act"<sup>1</sup> by Senator Dianne Feinstein and Senator Norm Coleman. This bill would counter the growing sale of controlled prescription drugs on the Internet without a valid prescription. It would 1) require the Internet pharmacy website to display information identifying their business, pharmacists and physicians for consumers; 2) bar the selling of drugs via the Internet when the website has referred the customer to a doctor who then writes a prescription based solely on an online questionnaire without ever seeing the patient; and 3) provide states with new enforcement authority that will allow a state's attorney general to shut down a rogue site across the country, rather than only bar sales to consumers of his or her own state.

Since Ryan's death others have died after purchasing controlled drugs over the Internet. Linda Surks who I met last year, lost her son Jason to prescription drugs. He used the Internet to research the safety of certain drugs and how they react with others. He ordered drugs from one Mexican pharmacy on the Internet that automatically renewed his order each month.

Prescription drug usage is up among our teens. Prescription drug addiction is up all across America. The Ryan Haight Internet Pharmacy Consumer Protection Act was reintroduced by Representative Tom Davis in 2005. The passing of this Bill authorizes states to shut down rogue virtual drug sites and makes it difficult to obtain dangerous and addictive drugs online. This bill is supported by the Federation of State Medical Boards and the National Community Pharmacists Association. I encourage all of you present to pass this bill. Ryan is far from an isolated incident. Americans of all ages have discovered powerful addictive drugs like Vicodin, Codeine, OxyContin, and Valium are only a click away. This is one way to start to protect our youth from having an easy way to get drugs and to protect them from dying as Ryan did.

A Registered Nurse, Jennifer Stephenson, recently wrote her Master's paper called "The Ryan Haight Internet Pharmacy Consumer Protection Act, An attempt at Regulation of Internet Pharmacies. She is just one of many professionals in the medical field that is concerned about this issue. I have the paper with me today, but it is too long to read but is available for you to read if you like.

I would like to see that Ryan's bill be possibly added as a noncontroversial amendment to "the prescription drug user fee act (PDUFA), which governs FDA issues and prescription drug review" and address the safety issue incumbent in drug sales.

After Ryan died, it took me almost three years to get strong enough to do what I know Ryan would have wanted me to do. I started "RYAN's Cause" - RYAN stands for "Reaching Youths Abusing Narcotics." The website is <http://www.ryanscause.org>. Since then I have been dedicated

to educating and providing information to parents, families, schools, and our communities on issues concerning the Internet and drug abuse. I have shared my story with numerous local and national news stations and television programs such as Dateline News, Fox News, Good Morning America, the Today Show, and the Montel Williams Show. I have interviewed with several newspapers including the Washington Post and magazines such as Reader's Digest in hopes to raise awareness of this growing drug problem in hopes to prevent other families from suffering such a devastating loss. I am here today, because I want to help fight this war against drugs. Too many people are dying.

I am a parent that belongs to a club I never wanted to join. I am an ordinary person who could be your neighbor, your co-worker, or member of your house of worship. But drugs took my son from me and some days the grief is still unbearable. Drug abuse is an equal opportunity killer. It is not confined to one kind of neighborhood, one socioeconomic group, or one kind of kid. Ryan was the boy next door. We need to do everything we can to protect our children. Tighter regulations on the sale of controlled substances on the Internet will not totally solve the drug problem, but I guarantee it will help and it's a good place to start. Thank you for allowing me to speak, and for listening to this very important issue. Ryan continues to make a difference. I just did not know he would be so far away.