

In a stunning and unexpected 6-3 ruling the right-leaning Supreme Court went against the wishes of the last president, took the wind out of the sails of health care reform of the current president, sent irresponsible Big Pharma a major wake up call, and bluntly told the arrogant FDA that they are indeed not above the rule of law. It is a major victory for every American citizen.

Central to the issue is a power struggle between the federal government and states, which in this situation meant the federal government authority to pre-empt your state rights to sue if you are injured by a drug. The FDA, acting on behalf of the Bush administration and on the side of Big Pharma, has helped tie up thousands of drug injury lawsuits across the country. The FDA, who is supposed to be protecting consumers from drug injury and ensuring a correct risk/safety picture for any person taking a drug, was instead trying to shirk their responsibility and simply claim that Americans had no right to sue.

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