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Merck Lobbies States Over Cancer Vaccine

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AUSTIN, Texas -- Merck & Co. is helping bankroll efforts to pass state laws requiring girls as young as 11 or 12 to receive the drugmaker's new vaccine against the sexually transmitted cervical-cancer virus.

Some conservatives and parents'-rights groups say such a requirement would encourage premarital sex and interfere with the way they raise their children, and they say Merck's push for such laws is underhanded. But the company said its lobbying efforts have been above-board.

With at least 18 states debating whether to require Merck's Gardasil vaccine for schoolgirls, Merck has funneled money through Women in Government, an advocacy group made up of female state legislators around the country.

A top official from Merck's vaccine division sits on Women in Government's business council, and many of the bills around the country have been introduced by members of Women in Government.

"Cervical cancer is of particular interest to our members because it represents the first opportunity that we have to actually eliminate a cancer," Women in Government President Susan Crosby said.

Gardasil, approved by the federal government in June, protects girls and women against strains of the human papillomavirus, or HPV, that are responsible for most cases of cervical cancer. A government advisory panel has recommended that all girls get the shots at 11 and 12, before they are likely to be sexually active.

But no state has yet to add Gardasil to the list of vaccinations youngsters must have under law to be enrolled in school.

Merck spokeswoman Janet Skidmore would not say how much the company is spending on lobbyists or how much it has donated to Women in Government. Crosby also declined to specify how much the drug company gave.

But Skidmore said: "We disclosed the fact that we provide funding to this organization. We're not in any way trying to obscure that."

The New Jersey-based drug company could generate billions in sales if Gardasil _ at \$360 for the three-shot regimen _ were made mandatory across the country. Most insurance companies now cover the vaccine, which has been shown to have no serious side effects.

Cathie Adams, president of the conservative watchdog group Texas Eagle Forum, said the relationship between Merck and Women in Government is too cozy.

"What it does is benefit the pharmaceutical companies, and I don't want pharmaceutical companies taking precedence over the authorities of parents," she said.

Adams said Merck's method of lobbying quietly through groups like Women in Government in addition to meeting directly with legislators are common in state government but still should raise eyebrows. "It's corrupt as far as I'm concerned," she said.

A mandatory vaccine against a sexually transmitted disease could be a tough sell in the Lone Star State and other conservative strongholds, where schools preach abstinence and parents' rights are sacrosanct

served as Republican Gov. Rick Perry's chief of staff and can influence conservatives who see him as one of their own.

"What we support are approaches that achieve high immunization rates," said Skidmore, the Merck spokeswoman. "We're talking about cervical cancer here, the second-leading cancer among women worldwide."

The legislation already has the enthusiastic support of the conservative governor.

"I look at this no different than vaccinating our children for polio," Perry said. "If there are diseases in our society that are going to cost us large amounts of money, it just makes good economic sense, not to mention the health and well being of these individuals to have those vaccines available."

Proposals for mandates have popped up from California to Connecticut since the first piece of legislation was introduced in September in Michigan. Michigan's bill was narrowly defeated last month. Lawmakers said the requirement would intrude on families' privacy, even though, as in most states' proposals, parents could opt out.

Even with such opt-out provisions, mandates take away parents' rights to make medical decisions for their children, said Linda Klepacki of the Colorado-based evangelical organization Focus on the Family. The group contends the vaccine should be available for parents who want it, but not forced on those who don't.

But Texas Rep. Jessica Farrar said her proposal is aimed at protecting children whose parents are less informed about or less interested in preventive care.

"Not everybody has equal sets of parents," said Farrar, a Houston Democrat who had precancerous cells removed from her cervix several years ago. "I think this is a public health issue and to not want to eradicate cervical cancer is irresponsible."

Drug-industry analyst Steve Brozak of W.B.B. Securities has projected Gardasil sales of at least \$1 billion per year _ and billions more if states start requiring the vaccine. "I could not think of a bigger boost," he said.

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