

Deaths and Injuries Caused by Fentanyl Patches

By Thomas T. Dunbar

Fentanyl is a narcotic frequently used for anesthesia during surgical procedures and for the treatment of chronic pain. It is one of the most powerful opioid analgesics with a potency approximately 80 times that of morphine. It works by depressing the central nervous system and respiratory function resulting in anesthesia and a reduction in pain sensation.

In the 1990s, fentanyl patches (marketed under the name Duragesic) were developed and designed to deliver a continuous dose of this potent narcotic painkiller for a period of three days. Fentanyl patches are most commonly used to treat pain in cancer patients, but they are also prescribed for patients with moderate to severe, chronic pain when short-acting narcotics and other types of painkillers fail to provide relief. Some doctors have prescribed fentanyl patches inappropriately for occasional or mild pain, post-surgical pain, or for headaches.

Fentanyl patches, sometimes called fentanyl transdermal systems, work by slowly releasing fentanyl through the skin into the bloodstream over time (“time-released”). Fentanyl patches come in several different sizes and dosage is dependent on the size of the patch. The rate of absorption is dependent on several factors including body temperature, amount of body fat, and the design of the manufacturer’s delivery system. Fentanyl transdermal systems should only be prescribed for patients who are already receiving opioid therapy, who have demonstrated opioid tolerance, and who require a total daily dose at least equivalent to 25 mcg/hr in a fentanyl transdermal system. Use in non-opioid tolerant patients may lead to fatal overdose or respiratory depression. Fentanyl, when used in combination with other drugs that depress the central nervous system, could impair breathing, reduce blood pressure, and lead to coma. Death and other serious medical problems have occurred when people were accidentally exposed to fentanyl transdermal system. Examples of accidental exposure include transfer of a fentanyl transdermal system from an adult’s body to a child while hugging, accidental sitting on a patch, and possible accidental exposure of a caregiver’s skin to the medication in the patch while the caregiver was applying or removing the patch.

Fentanyl patches are sold under the Duragesic name and in several generic versions. The U.S. Food & Drug Administration (FDA) has reported numerous fatal overdoses directly tied to these time-released fentanyl patches. As a result of defects in the design, poor quality control, and inadequate consumer warnings, some users have suffered overdoses resulting in death. Design problems and manufacturing defects have resulted in many cases where the fentanyl gel leaked directly onto the skin or was released too quickly through the membrane. Malfunctions in the patch delivery system may cause an excessive amount of fentanyl to be absorbed by patients, resulting in life-threatening side effects and death. Johnson & Johnson, the manufacturer of the Duragesic brand, issued a recall of some of its patches in 2004. Since that time, Johnson & Johnson has faced numerous lawsuits over its Duragesic patches. In 2005, the FDA issued a [Public Health](#)

[Advisory](#) regarding its investigation into 120 deaths related to the Duragesic patch. In 2007, the FDA issued a second [Public Health Advisory](#) concerning the safe use of fentanyl transdermal patches.

Juries have begun recognizing the deaths and injuries caused by defective fentanyl patches and awarding appropriate monetary damages. In 2007, a federal jury awarded \$5.5 million to the father of man who died while wearing a defective patch made by Johnson & Johnson subsidiaries. In 2008, a Florida jury returned a verdict in the amount of \$13.3 million for a woman who died after placing two Duragesic patches on her skin for pain relief after back surgery. Also in 2008, a Chicago jury awarded \$16.5 million to the family of man who died as the result of a leaking Duragesic patch. Problems with fentanyl patches continue and additional recalls have been issued by manufacturers. Watson Pharmaceutical, the manufacturer of a generic fentanyl patch, issued a recall in 2008 after discovering fentanyl gel leaking from some of its patches. Actavis, Inc., another generic manufacturer, has also recalled some of its patches that were discovered to be leaking. Johnson & Johnson issued a recall of 32 million of its Duragesic patches in 2008 because of possible leak defects.

The Dunbar Law Firm is currently pursuing cases nationwide involving the manufacturers of these potentially defective fentanyl patches. If you or a loved one has been injured by any brand of fentanyl transdermal patch, please contact us at (800) 985-6469 for a free consultation.

Attorney Thomas Dunbar can be contacted at: 300 Concourse Boulevard, Suite 102, Ridgeland, Mississippi 39157. Phone number: 601-366-3170; fax number 601-366-6390. Please note that you are not considered a client until you have signed a retainer agreement and your case has been accepted by us. Prior results do not guarantee or predict a similar outcome with respect to any future matter.