

OxyContin Addiction in the Southeastern United States, 2000-2004: Epidemic or Political

Wedge Issue?

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OxyContin Addiction in the Southeastern United States, 2000-2004: Epidemic or Political Wedge Issue?

Katherine Beckett (1995) has discussed the impact of official sources affect the presentation of drug issues in the news media. She found that agenda setting by officials at the state level tended to focus on drugs as a “law and order” problem. She also found that not all official sources were understood to be equally credible as spokespersons about drug topics. As a result, liberal politicians and public health officials in drug-related news stories are often not seen as credible sources. Beginning in the 1980s, political and ideological struggles by conservative politicians and law enforcement personnel attempted to establish themselves as the most official authorities on drug topics. Street level drug crime intervention by federal law enforcement agencies became a way for federal authorities to capture the authority of local law enforcement agencies and stave off budget cuts pursued by the General Accounting Office. This form of agenda setting became as much about shifting the perception of expertise away from medical experts and treatment professionals as much as it became about sustaining funding streams for federal law enforcement programs.

John Forester (1989) (Appendix, Table 1) combined Steven Lukes’ three-dimensional theory of power with Habermas’ notions of communicative action and validity claims to discuss various ways misinformation can be used in planning situations to manipulate social action. The third dimension of Lukes’ model is concerned with agenda setting, which, when combined with legitimacy claims from Habermas’ model, is focused on managing consent in the public sphere by arguing a political issue is actually a technical issue best left to experts. Based on the discussion above, I assume the Drug Enforcement

Administration, along with other conservative politicians, have been attempting to establish their technical expertise in relation to drug issues through a law and order political agenda for some time. The panic over OxyContin in several northeastern and southeastern states from 2000 to 2004 is a recent example of this kind of agenda setting. In this paper I use this definition of managing of consent through agenda setting to examine the effect of post-election partisanship of governors in 2000 on the eventual number of news items in state newspapers which mentioned OxyContin in its headline or lead paragraph between 2000-2004.

Historical Context

From 2000 to 2004, 3529 news items related with the word “OxyContin” in the headline or lead paragraph appeared in newspapers in the United States (See Table 1 in the Appendix for details). Approximately 78% (2751/3529, or 77.95%) were concentrated in eleven states, mainly in the southeastern and northeastern United States.

Libby (2003) argues that the Drug enforcement Administration (DEA) had been confronted in 1999 by the General Accounting Office (GAO) because the DEA “ had no measurable proof that it had reduced the illegal drug supply in the country” during the 1990s. According to Libby (2004, p. 1-2), Senator Charles E. Grassley, Chairman of the Caucus on International Narcotics Control and Bill McCollum, then Chairman of the Subcommittee on Crime Committee on the Judiciary pointed to the fact that funding for the DEA had nearly doubled from about \$806 million in 1990 to \$1.5 billion in 1999, while there had been no measurable proof that the DEA had reduced the supply of illegal drugs in the country.

Needless to say, the results of this evaluation created a crisis at the DEA and, through

the recommendation of the Inspector General of the Department of Justice (DOJ), the DEA made a major policy shift and began to focus on prescription medication abuse, as well as its historic mission to police illicit drug abuse:

The DEA's OxyContin Action Plan began the new mission. In 2001, the DEA responded to this criticism by announcing a major new anti-drug campaign called the OxyContin Action Plan. Asa Hutchinson, the DEA Administrator explained that OxyContin was a deadly drug epidemic spreading throughout rural America. Hutchinson said that the DEA would reallocate their resources to balance the growing drug threat in rural as well as urban areas. The campaign was against "a dangerous new drug abuse trend"—the non-medical use of OxyContin, a best selling long-lasting pain relief drug. The DEA reported that four million Americans were misusing prescription drugs leading to addiction, injury and death. They estimated that the misuse of this drug was costing the health care system more than \$100 billion a year (Libby, 2004).

A number of high profile news stories circulated in the national media prior to the release of the OxyContin Action Plan, including major investigated stories in Newsweek (Rosenberg, 2001), the New York Times (Meier, 2001a ; 2001b), and the Orlando Sentinel (Bloodsworth, 2003). All the stories relied heavily on official facts and statistics released primarily by the DEA and state law enforcement officials. The stories also told repeated horror tales of people being instantly addicted to the synthetic opiates, high body counts due to overdoses of Oxycontin, and doctors who were deviously and maliciously engaged in criminal drug rings to divert the drug for profit.

By as early as 2001, stories began to surface refuting the sensational body counts and

much of the DEA's case for a prescription pain medication "epidemic" began to unravel.

In a subsequent investigation by the General Accounting Office, the DEA agreed that its data on abuse and diversion were not reliable, comprehensive, or timely. And then, finally, a major study of drug abuse deaths in the March 2003 edition of the peer-reviewed *Journal of Analytical Toxicology* (JAT) showed that just 1.3 percent resulted solely from OxyContin... (Butterworth, 2004).

Though contradictions began to appear to the official as early as 2001 (Butterworth, 2004), the panic over OxyContin continued in a number of states in 2004, resulting in levels of mobilization that facilitated distribution of High Intensity Drug Trafficking Area dollars through the DEA as well as continued development of computer mediated drug prescription monitoring systems, among other things. The question arises as to whose interests were being served by the continued panic.

Literature Review

Katherine Beckett (1995) discussed the impact of official sources on the presentation of drug issues in the news media and found that agenda setting by officials at the state level tended to focus on drugs as a "law and order" problem. Beckett notes that structuralist accounts of the use of official sources suggests that such use reflects the institutional order of bourgeois democracy, which tends over time to reproduce the existing power structures in a state. She found that not all official sources were understood to be equally credible as spokespersons about drug topics. The result has often been a relative absence of liberal politicians and public health officials in drug-related news stories. Conservative occupation of the White House and greater financial and organizational resources for law enforcement beginning in the 1980s were part of a larger political and ideological struggle by which conservative politicians and law enforcement personnel sought to establish themselves as the most official authorities on

drug topics. Following the lead of the Reagan administration, street level drug crime intervention by federal law enforcement agencies became a way for federal authorities to capture the authority of local law enforcement agencies and stave off budget cuts pursued by the General Accounting Office. In the meantime, funding for agencies responsible for drug treatment, prevention, and education saw their funds drying up.

Jenkins (1995) has noted an ongoing rise in panics about synthetic drugs, beginning with PCP in the late '70s, which have repeatedly emerged in white communities. These panics appear to reflect our concerns about the power of medicine to create substances that can possibly control us. They also appear to reflect white communities fears about their ability to maintain their integrity in a world where “white” is no longer a neutral center, but one of many perspectives. “Redneck cocaine”, otherwise known as methamphetamine, was the last such panic in the mid-1990s prior to the Oxycontin panic discussed here.

More recently, cultural representations of Oxycontin appear to have followed similar trajectories as did methamphetamine (Jenkins, 1999). The late 1990s saw increasing use of “white trash” imagery, and this trend served political interests because it allowed them to continue framing social inequality issues in cultural terms without the complex racial dynamics that had accompanied crack or other urban drug trends. Elsewhere, I have used critical discourse analysis to examine how the “Prescription for Pain” (2003) news series from the Lexington Herald-Leader in Lexington, KY (also a Knight-Ridder paper like the Orlando Sentinel) combined regional cultural myths about Appalachian counties in Kentucky with “monster” and “white trash” imagery to create political identities for characters in the news stories that served a larger political agenda in the state (Bills,

2007). OxyContin stories, given their concentration in the southeast and northeast, appeared to reflect urban impressions of rural poor whites in the two regions.

For conservative (I assume this typically means “Republican” within the time frame under discussion) governors, it is likely that subduing “savage whites” (Jenkins, 1999) engaging in one of the three crimes that gained media attention in the 1990s, pedophilia, domestic violence, and prescription drug abuse, allowed them to continue to maintain a “law and order” stance politically. State legislative partisanship involved huge turnover in the 1994-96 elections, with many state legislatures beginning to have growing numbers of Republicans elected for the first time since before the New Deal (See Figure 1 in the Appendix) (NCSL, 2007). The 2000 election is the first time in 62 years that there were more state legislatures with Republican partisanship than with Democratic partisanship. Even as prison populations were bursting at the seams (Mauer, 2001; Lawson, 2005) and causing significant state level budgetary crises in their own right, some states continued on the “law and order” track, possibly because poor whites did not represent a potent interest group to contend with.

Using Forester’s (1989) definition of agenda setting as management of consent, we can examine how misinformation about OxyContin, as it circulated in the public sphere through relationships between new reporters and official sources, might have served planning agendas in many states by facilitating the perception that the technical expertise of law enforcement could be brought to bear on the Oxycontin issue simply through increased surveillance by prescription drug monitoring systems and increased funding to coordinate state and federal cooperation among levels of law enforcement. The pay-off at the state level, as mentioned above, for conservative governors, was likely that focusing

policy on prescription drug abuse allowed conservative governors to continue to maintain a “law and order” stance politically even as prison populations in most states were bursting at the seams. Prison costs were causing significant state level budgetary crises in their own right, yet, because poor whites did not represent a potent interest group to contend with, conservative politicians and law enforcement could continue to prosecute in low income white communities without major political fallout.

Hypotheses

In this study, I hypothesize that post-election Republican partisanship of the Governor in 2000 increased the likelihood that there would be a high number of news items published in the state with “Oxycontin” in the headline or lead paragraph during the “panic” years from 2000 to 2004.

Data and Methods

Data Description

The data used in this study put together by the author through sources freely available on the internet. The author used Lexis-Nexis in order to search news media outlets as well as convenience samples of official data sources for state-level political, budgetary, and drug policy data to develop variables that could have possible relevance at the state level to how official sources may have affected how Oxycontin-related news stories were depicted in newspapers.

Data were grouped as political variables, budgetary variables, and drug policy variables. Political variables included post-election party of Governor, '00; percentage of Republican partisanship in state legislature, '00; and having a member on the House Appropriations Committee, '99-'00. Post-election party of Governor was a categorical variable, coded “1” for Democrat, “2” for Republican, and “3” for Independent. This

variable was recoded to a dummy variable such that “Other than Republican” was the reference category. Having a member on the House Appropriations Committee was a dummy variable, with “no” being the reference category. Percentage of Republican partisanship in state legislature was a delta variable, coded to indicate the percentage of increase in republican partisanship in state legislatures after the 2000 election. Budgetary variables were also delta variables indicating the percentage of change in spending in a specified time frame, and included total percentage change in dollars for TANF families by state, ‘93-‘00; percentage change in state budget for higher education, ‘99-‘00¹; and percentage change in state budget for prisons (‘99-‘00). Two drug policy variables were included because of their relevance to the Oxycontin issue in particular, and these included whether the state had a prescription monitoring program by ‘02 and whether the state required prior authorization for OxyContin by ‘02. Both these variables were dummy variables. Absence of both policies in a state were the reference categories (See Table 3 in the Appendix for Summary Statistics).

The dependent variable, number of news items published in the state with “Oxycontin” in the headline or lead paragraph, was originally a continuous variable, but was converted to a dummy variable for use in the logistic regression model. The distribution of stories appeared bimodal, with 39 states having 73 or less news items referring to Oxycontin and only 11 states having 94 or more news events referring to Oxycontin. Using 90 news items as the cut-off, I reasoned that, because there was such a concentration of stories in only eleven of 50 states, a dummy variable better capture the

¹ The author tested the use of a logged higher education variable, but decided not to use it because it would not generate valid tables using the Hosmer-Lemeshow χ^2 test. Also, substantively, the skew in the data was deemed representative of differences in priorities among state budgetary practices in 2000.

high/low division of the story distribution regionally. The reference category was “low number of news items published in the state with “Oxycontin” in the headline or lead paragraph.

Methods

To answer the research question, I converted my continuous news item variable to a dummy variable and used logistic regression to calculate odds ratios for the effects of independent variables on the dummy dependent variable. In the current project the regression model examined the effect of post-election partisanship of governors in 2000 on the eventual number of news items in state newspapers which mentioned OxyContin in its headline or lead paragraph between 2000-2004, while controlling for whether a state had a member on the House Appropriations Committee in '99-'00, percentage of change in '99-'00 in TANF funding for families at the state level, the log of the percentage of change in state spending on Higher Education in '99-'00, the percentage of change in state spending on Prisons in '99-'00, whether a state had a prescription drug monitoring systems in place in '02, and whether the state required prior authorization for OxyContin in '02. The following logistic equation expresses the model from which I used:

$$\text{Logit}(\text{predicted_number_of_news_events}) = \alpha + D_1 * \text{PartyGov00} - \Delta_2 * \text{RepPar00} + B_3 * \text{MemHoAppro} - \Delta_4 * \text{TANF_fam9} \sim 00 - \Delta_5 * \text{HighEd99_00} + \Delta_6 * \text{Prison99_00} - D_7 * \text{PrescMonPr} \sim m + D_8 * \text{ReqPriAuth} + e$$

Results

An pseudo- R^2 value of 0.4704 was reported (Results for the models is summarized in Appendix I, Table 6). The Hosmer-Lemeshow χ^2 test resulted in a value 0.8906, which was exceptionally good. A substantive interpretation of the results for the independent

variable would be that, holding all other variables constant, having a Republican governor post-election in 2000 made it 32 times more likely a state would have a high number of news items with OxyContin mentioned in the headline or lead paragraph of newspaper stories from the state during the period from 2000 to 2004.

A substantive interpretation of the other two statistically significant control variables would be as follows. Holding all other variables constant, that each increase in percentage of Republican partisanship in state legislature made it 0.88 % as likely a state would have a high number of news items with OxyContin mentioned in the headline or lead paragraph of newspaper stories from the state during the period from 2000 to 2004. Holding all other variables constant, for every unit increase National Drug Threat Survey, Greatest Threat by State, Pharmaceuticals scale for '03, there was a 1.203 times greater likelihood that a state would have a high number of news items with OxyContin mentioned in the headline or lead paragraph of newspaper stories from the state during the period from 2000 to 2004. Lastly, a state requiring prior authorization for Oxycontin in its '02 drug monitoring program was 36 times more likely that a state would have a high number of news items with OxyContin mentioned in the headline or lead paragraph of newspaper stories from the state during the period from 2000 to 2004, holding all other variables constant.

Conclusion

Post-election partisanship of governors in 2000 appears to have been a useful predictor of the eventual number of news items in state newspapers which mentioned OxyContin in its headline or lead paragraph between 2000-2004. How could this political variable have been such a successful predictor? John Forester (1989) combined Steven

Lukes' three-dimensional theory of power with Habermas' notions of communicative action and validity claims to discuss various ways misinformation can be used in planning situations to manipulate social action. The third dimension of Lukes' model is concerned with agenda setting, which, when combined with legitimacy claims from Habermas' model, is focused on managing consent in the public sphere by arguing a political issue is actually a technical issue best left to experts.

Governors can be understood as important opinion leaders in state level politics and their emphasis on a particular issue could well shape what issues state officials emphasize in their communications with reporters. In the late 1990s into the beginning of the 21st century, governors found themselves managing cutbacks in welfare funding, increasing prison costs, and rising state level healthcare costs, particularly in relation to worker's compensation. The possibility of accessing federal funds or other funding streams via cooperation with the DEA makes it likely that they would have been willing to support the DEA. As a "serviceable plot motivator" (Room, 2002), addiction has been used to explain any number of fantastic behaviors. It is unlikely that many governors, particularly those with a conservative political orientation, would have questioned the DEA's facts about prescription medication abuse.

The major weakness of this study lies in its failure to capture a temporal dimension in the analysis. Future research would include a time series analysis, possibly expanded to include the variety of synthetic drug panics that started with PCP in the late 1970s (Jenkins, 1999). Such a study could both include a temporal dimension as well as identify how drug panics move geographically, allowing the researcher to examine regional variations that made the regional politics vulnerable to misinformation.

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Appendix I: Figures and Tables

Tables

Table 1: Power, Information, and Misinformation: The Management of Comprehension, Trust, Consent, and Knowledge (Forester, 1989, p. 38)

Forms of Misinformation				
Modes Through Which Power May Be Exercised	Managing Comprehension (problem framing)	Managing Trust (false assurance)	Managing Consent (illegitimacy)	Managing Knowledge (misrepresentation)
Decision Making	Resolutions passed with deliberate ambiguity; confusing rhetoric, e. g., “the truly needy”	“Symbolic” decisions (false promises)	Decisions reached without legitimate representation of public interests but appealing to public consent as if this were not the case	Decisions that misrepresent actual possibilities to the public (e. g., the effectiveness of insufficiently tested medications)
Agenda Setting	Obfuscating issues through jargon or quantity of “information”	Marshalling respectable personages to gain trust (independent of substance)	Arguing, e. g., that a political issue is actually a technical issue best left to experts	Before decisions are made, misrepresenting costs, benefits, risks, true options
Self-concept Shaping	Diagnosis, definition of problem or solution through ideological language	Ritualistic appeals to “openness”, “public interest”, and “responsiveness”; encouraging dependence on benign apolitical others	Appeals to the adequacy and efficacy of formal “participatory” processes or market mechanisms without addressing their systematic failures	Ideological or deceptive presentation of needs, requirements, or sources of satisfaction (false advertising, “analysis for hire”

Table 2: Eleven States with the Highest Number of News Events about OxyContin 2000-2003

<i>States</i>	2000	2001	2002	2003	2004	Total
1. Massachusetts	2	207	163	123	120	615
2. Virginia	7	195	90	51	41	384
3. Florida	0	125	123	51	38	337
4. West Virginia	5	160	55	52	31	303
5. Maine	34	89	64	30	43	260
6. New York	0	75	27	31	56	189
7. Pennsylvania	0	63	42	32	48	185
8. Connecticut	0	52	36	16	36	140
9. Kentucky	0	56	30	33	14	133
10. Wisconsin	0	27	32	21	31	111
11. Louisiana	6	49	19	9	11	94
Total	54	1098	681	449	469	2751

Total number of stories all 50 states was 3529
 2751/3529 = 77.95% of stories in the top eleven states

Table 3: Summary Statistics for Variables in Study

Variable	Mean
High Number of News Events	.22
% Republican Partisanship in State Legislature ('00)	48.39 (std dev 14.83) (49)
Republican Post-Election Party of Governor ('00)	1.64
Member on the House Appropriations Committee ('99-'00)	.56
Total % Change in TANF Families by State ('93-'00)	-56.84 (std dev 15.37) (50)
% Change in State Budget for Higher Education '99-'00	6.04 (std dev 11.17) (50)
% Change in State Budget for Prisons '99-'00	9.56 (std dev 13.43)
Prescription monitoring program ('02)	.32
Require prior authorization for OxyContin ('02)	.12

Table 4: Correlation Matrix for Model Variables

Variable	dnew_eve	PartyGov00	RepPar00	MemHoAppro	TANF_fam9~00	HighEd99_00	Prison99_00	PrescMonPr~m	ReqPriAuth
dnew_eve	1.0000								
PartyGov00_2	0.1907	1.0000							
RepPar00	-0.2007	0.2027	1.0000						
MemHoAppro	0.1694	-0.0526	-0.1880	1.000					
TANF_fam9~00	-0.1767	-0.1314	-0.3118	0.0101	1.0000				
HighEd99_00	-0.0433	-0.0692	-0.2100	0.1660	-0.0339	1.0000			
Prison99_00	0.1748	0.1741	-0.0202	0.0204	-0.0044	0.6065	1.0000		
PrescMonPr~m	-0.0617	0.0681	-0.2312	0.0754	0.2621	0.2422	-0.0233	1.0000	
ReqPriAuth	0.2467	0.0227	0.0752	-0.0539	-0.1716	0.0423	0.2270	-0.1273	1.000

Table 5: Partial Correlation for Variables

Variable	Correlation
PartyGov00	0.3050 (0.047)
RepPar00	-0.3511 (0.021)
MemHoAppro	0.1744 (0.263)
TANF_fam9~00	-0.1304 (0.4050)
HighEd99_00	-0.1094 (0.485)
Prison99_00	0.2156 (0.170)
PrescMonPr~m	-0.1214 (0.438)
ReqPriAuth	0.3186 (0.037)

Table 6: Regression Results for the Model

Variables	Odds Ratios for Model 2
dnew_eve	√
PartyGov00_2	32.100* (0.039)
RepPar00	0.882* (0.047)
MemHoAppro	8.971 (0.119)
TANF_fam9~00	0.960 (0.313)
Prison99_00	1.070 (0.096)
HighEd99_00	0.907 (0.104)
PrescMonPr~m	1.203* (0.034)
ReqPriAuth	35.649* (0.048)
N	49
Pseudo- R²	0.4704
LR chi2(8)	24.55*** (0.0019)

* p < .05. ** p < .01 ***p < .001

Figures

Figure 1: Republican and Democratic Share of Legislative Seats 1938-2000

(<http://www.ncsl.org/programs/legismgt/elect/demshare2000.htm>) [Accessed 4-30-07]







































































