October 11, 2005

Food and Drug Administration Division of Dockets Management HFA-305 5630 Fishers Lane, Rm 1061 Rockville, MD 20852

Re: Comments of the Electronic Privacy Information Center on Consumer-Directed Promotion of Regulated Medical Products / Docket No. 2005N-0354

The Electronic Privacy Information Center West Coast Office ("EPIC") submits these comments to the Food and Drug Administration Public Hearing on Consumer-Directed Promotion of Regulated Medical Products.¹ EPIC is a public interest research center in Washington, D.C. It was established in 1994 to focus public attention on emerging civil liberties issues and to protect privacy, the First Amendment, and constitutional values. EPIC's West Coast Office is located in San Francisco, CA, and focuses on consumer privacy issues.

We wish to highlight an issue in direct-to-consumer medical marketing that has not received adequate attention: the use of databases of personal information to target individuals with medical ailments thorough direct mail or other forms of direct marketing. We are concerned that with heightened attention to traditional mass-circulation print and broadcast advertising will result in marketers increasing information collection efforts for targeted solicitations. Already, Florida residents have been targeted for an unsolicited package of Prozac by mail. One woman received the Prozac samples despite not have taken the drug for years. A sixteen-year old, despite never having taken Prozac, received a month's supply.²

There are several reasons why a shift to this marketing channel presents risks to privacy and consumer welfare: First, data brokers, companies that amass personal information and sell it to marketers and others, can enable targeting of direct-to-consumer advertising to vulnerable populations. This risk is exacerbated by the fact that, unlike mass-circulation print and broadcast advertising, targeted solicitations are harder for public health authorities to monitor. Second, medical information is often gathered in a deceptive fashion. Consumers are often presented with product warranty or registration cards that solicit medical information, with the false implication that completing the card is necessary to enjoy protection for a product. Finally, this medical information is being gathered outside the protections of the Health Insurance Portability and Accountability Act's Privacy Regulations. Individuals who give their medical ailment information to marketers have no ability to "opt-out" of the data collection, to access their data or correct it, or order that the data be deleted.

¹ Department of Health and Human Services, Food and Drug Administration, Consumer-Directed Promotion of Regulated Medical Products; Public Hearing, 70 Fed. Reg. 54054 (Sept. 13. 2005).

² Glenn Singer, Judge Upholds Legality of Prozac Mailing, South Florida Sun Sentinel, May 17, 2005.

The Risk of Targeting Vulnerable Populations

The FDA recognizes that, "[s]ome consumer audiences may be more susceptible to being misled by false or misleading promotion." In the direct marketing context, information databases allow marketers to identify susceptible groups and target them for solicitations. Data brokers have sold "sucker" lists, databases of individuals labeled as "impulsive," those who have fallen for scams, or those otherwise lacking the capacity to evaluate a marketing representation. For instance, just last month, DMNews, a leading direct marketing publication, carried this advertisement for a database of personal information:

DMNEWS The Online Newspaper of Record for Direct Marketers				
Archives DM Yellow Pages Video Center Classified Ads Advertise Subscribe				
Nostra-Damus				
Impulse Media 22-SEP-05 New List				
Description: This file contains impulsive buyers who purchased the "Eye of Ra" pendant, with the belief that the pendant will change their life, awaken their inner consciousness and bring them wealth. The pendant is advertised as having a fragment of the Eye of Ra inside it. Fifty-one percent are women older than 35.				
Selects: 9,395 2nd-quarter 2005 buyers, age, date of birth, gender, state, SCF and ZIP				
Contact: your list broker or Impulse Media, 42 Old Ridgebury Road, Danbury, CT 06810				
Phone: 203/825-4652				
Fax: 203/207-8509				
E-mail: <u>pranalli@impulsermi.com</u>				
🖂 E-mail This List To A Friend				
😑 Print This Page				
∞ Browse More Lists And Databases				

Direct marketers never label these lists as "sucker" databases, but between the lines, the label is communicated very clearly: this is a database of "impulsive" individuals who purchased a pendant "advertised as having a fragment of the Eye of Ra inside it," with the belief that the pendant will "change their life, awaken their inner consciousness and bring them wealth."³

In other areas, data broker companies advertise that their databases include "psychographic" data. This can include databases that are segmented by age, by a medical condition, or by behavior that correlates with an impairment in reasoning. For instance, the Iowa Attorney General has initiated a probe of database seller "Walter Karl" for providing lists to scam artists.⁴ The company sells databases that claim to include "impulsive buyers...primarily mature" and "highly impulsive consumers...sure to respond to all of your low-end offers."⁵

Exacerbating this problem is the fact that it is difficult for authorities to detect these scams. Unlike mass media advertising, direct marketing can be targeted to individuals and therefore not exposed to the general public. Large deceptive mailing can continue unless a specific person complains, and that complaint is investigated.

Deceptive Gathering of Medical Information for Marketing

A great amount of medical information is solicited from consumers through product registration cards. These cards accompany many consumer products. Consumer complete these cards for two main reasons: first, the manufacturer falsely implies that it must be completed in order to enjoy a product warranty. Second, registration may increase the likelihood that one receives information about product recalls.

The registration cards almost always 1) solicit information completely unrelated to warranty and recall information, 2) do not inform the consumer that providing the information is discretionary, and 3) fail to notify the customer that the information solicited is wholly unprotected by privacy law, and may be used for any purpose. We believe that this collection of information is deceptive, and if consumers were made aware of the ultimate uses of personal information, they would object and leave the card blank.

Data brokers collect personal medical information in other deceptive ways for marketing. For instance, attached to these comments is an advertisement from Hippo Direct for "People with Ailments" databases. It notes that the information was gathered from:

telephone and mail order purchase information, rebate coupons, prescription records, subscription order forms, warranty card registrations, 800# respondents, sweepstakes

³ http://www.dmnews.com/cgi-bin/listdb.cgi?list_id=8663&action=preview.

⁴ Attorney General of Iowa, A.G. asks Court to Order List Broker to Respond to Telemarketing Fraud Probe State asks court to order list-broker "Walter Karl, Inc." to cooperate with consumer protection investigation of direct mail and telemarketing schemes, Mar. 3, 2005, available at

http://www.state.ia.us/government/ag/latest_news/releases/mar_2005/Walter_Karl.html.

⁵ Affidavit of Barbara Blake, Investigator, Office of the Attorney General of Iowa, Mar. 1, 2005, available at http://www.state.ia.us/government/ag/latest_news/releases/mar_2005/Walter% 20Karl% 20BBlake% 20Affidavit% 20 3-1-05.pdf.

entry forms, trade show/conference attendee rosters, and consumer surveys & questionnaires

In almost all of these contexts, individuals are not told that information they provide is sold for secondary marketing purposes. Furthermore, Hippo Direct is claiming that some of this information is collected from prescription records, a practice that does not comport with individuals expectation of privacy with their pharmacy.

In sum, there are two risks here: a switch to direct mail drug advertising may drive more deceptive collection of personal medical information. Additionally, individuals will have no idea how a drug company obtained their name and medical information, since the data are almost always collected without the individual's specific knowledge. As explained more fully in the section below, they will also be helpless to stop the marketing communication should it be unwanted.

Data Collected Are Not Subject to Privacy Protections

The Health Insurance Portability and Accountability Act's Privacy Rule (HIPAA) sets forth rules for the collection, use, retention, and disclosure of medical information. However, HIPAA only applies to a limited range of companies, and the marketing entities collecting data are not "covered entities." Because these marketing companies are not covered by HIPAA or other federal privacy laws, individuals have little ability to control how data are used. There is no requirement that these companies give notice of their practices. There is often no ability to opt-out of disclosure of information. There is no right to access or correct data. Nor is there an ability to delete information, should one no longer wish to be in the marketing databases.

In conclusion, we urge the FDA to consider in its public hearing and in other proceedings the risks posed by an increase in the use of personal information to target direct-to-consumer advertising. New database technology makes it simple for marketers to target vulnerable groups, thus raising the risk of consumer deception. Medical data collected by the marketing industry is collected in a deceptive fashion, without individuals' informed consent. Finally, much of the medical data used to target solicitations is wholly outside the protections of federal and state privacy law.

Respectfully submitted,

Chris Hoofnagle Senior Counsel Electronic Privacy Information Center West Coast Office 944 Market St. #709 San Francisco, CA 94102 415-981-6400

3/15/2005

39,000,000 + People With Ailments Email Addresses Dup Copy (each) Unlimited Use	\$150/M +\$25/M	DATE 10/12/04 UPDATED 12/01/04 CONFIRMED
Additional Selections: Ailment Type @ \$15/M		UNIT OF SALE N/A
Prescription Medicine Users @ \$50)/M	GENDER
Merge Charge @ \$5/M (\$25 Min.)	,	% N/A
Shipping/Handling (UPS/Fed-Ex)-		CAN SELECT
2-Day @ \$15/F		
Overnight @ \$30/F		MEDIA
Telemarketing- Please inquire		100% COMPILED
		SEE TEXT
Split Charge \$25 Min.		
Modem \$30 Min.		ADDRESSING
Disk- Unlimited use		4-UP CHESHIRE OR MAG TAPE
3 X 5 Cards- Unlimited use		
		SELECTIONS
Ailment Type:		\$10.00 AGE
Allergies	6,037,538	\$10.00 INCOME SELECT
Alzheimer's Disease	99,918	\$50.00 PHONE NUMBER
Angina/Heart Disease	898,237	\$3.00 TITLE SLUG
Arthritis and Rheumatism	4,079,844	
Asthma	1,876,028	
Back Pain	2,516,870	\$3.00 KEYING
Birth Defects	105,529	\$30.00 MAG TAPE (FLAT FEE)
Bladder Control and Incontinence	981,940	\$8.00 P/S LABELS
Bleeding Gums and Gingivitis	464,357	\$25.00 TELEMARKETING CARDS
Blindness	299,964	\$25.00 GALLEY LISTING
Bronchitis	304,013	\$30.00 EMAIL DELIVERY (FLAT
Chronic Ear Infection	36	\$50.00 DISKETTE (FLAT FEE)
Clinical Depression	313,015	\$30.00 CARTRIDGE (FLAT FEE)
Congestive Heart Disease	7,910	\$125.00 CD-ROM (FLAT FEE)
Depression	243,998	\$3.00 MODEM/FTP/BBS
Diabetes	1,175,118	\$10.00 MONTHLY HOTLINE
Eating Disorder	22,485	\$10.00 GENDER/SEX
Eczema	13,071	\$5.00 SPLIT RUN
Eczema/Psoriasis	134,103	
Emphysema	121,826	MINIMUM ORDER
Enlarged Prostate	211,179	5,000
Epilepsy	161,061	\$75.00- DUP COPY
Estrogen Deficient	191,470	
Excessive Perspiration	19,318	
Frequent Headaches	1,454,074	
Frequent Heartburn	1,419,407	



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Gastritis	483,558
Glaucoma	81,391
Hearing Impaired	803,534
Hepatitis C - Acquaintance	2,838
Hepatitis C - Self	1,775
High Blood Pressure	2,952,594
High Cholesterol Impotence Insomnia Irritable Bowel Syndrome Kidney Disease	2,932,994 2,429,879 27,436 211,727 23,729 9,335
Lactose Intolerant	122,850
Migraines	1,774,209
Motion Sickness	385,239
Multiple Sclerosis	24,236
Nasal Allergies	1,167,697
Obesity	141,926
Osteoporosis	332,952
Other Allergies	672,374
Overactive Bladder	94
Parkinson's Disease	109,628
Physical Handicap	585,119
Prostate	42,984
Psoriasis	284,858
Sensitive Skin	1,363,446
Sinusitis	1,361,137
Spinal Injury	28,494
Sports Injury	134,154
Thinning Hair & Baldness	1,140,961
Ulcer	50,682
Warts	201,620
Wheel Chair Yeast Infection Prescription Medicine Users:	14,994 19,339
Allegra1,457AzmacortCalan9,978CapotenCardzem15,378CarduraClaritin108,790EstradermEstrogen540,394FlonaseFosamax1,041Glucotrol	1,061 42,092 1,331 7,006 181,913 87,286
Hismanal197,171HytrinInsulin236,682LescolLozol18,944MevacorMacalcin318NaprosynNasacort45,702NasalcromNasonex53,481Oral	1,667 13,308 128,245 149,404 23,264 355,581



Paxil	77,114	Contracep	tive
Pepcid	318,075	Pravachol	47,028
Precose	260	Premarin	195,250
Procardia	102,182	Proventil	8,779
Prozac	215,589	Rhinocort	19,426
Rhinocort	13,976	Seldane	564,556
Aqua		Tagamet	616,741
Vasotec	424,429	Ventolin	199,834
Veralin	2,726	Voltaren	3,157
Zantac	737,382	Zocor	55,843
Zoloft	35,062	Zyrtec	300,745
		(prescrib	ed)

Telemarketing script required with order.

Media: The database was compiled from telephone and mail order purchase information, rebate coupons, prescription records, subscription order forms, warranty card registrations, 800# respondents, sweepstakes entry forms, trade show/conference attendee rosters, and consumer surveys & questionnaires



30,300,000	Individuals/Househol		
	Suffering Ailments		DATE
	Email Addresses	Inquire	
	Unlimited Use (1 yea	r) \$300/M	05/04/04 CONFIRMED
			UNIT OF SALE
	JNHILLS DATABASE OF C DISEASES AND ILLNESS	ONSUMERS WITH	N/A
ALLMENISI	DISEASES AND ILLINESS		GENDER
Here's a	database of individua	la and	% N/A
	s suffering from a wi		CAN SELECT
	diseases, illnesses	_	CAN SELECT
conditions			MEDIA
condicion			100% COMPILED
			SEE TEXT
Additiona	l Selections:		STE TEXT
	- Please inquire		ADDRESSING
	Please inquire		4-UP CHESHIRE OR DISKETTE
FTP @ \$!	_		I OF CHEDRICE OR DIDREFTE
	Please inquire		SELECTIONS
	- Please inquire		\$5.00 AGE
	Type @ \$5/M		\$15.00 ETHNIC
	sponder @ \$15/M		\$5.00 HOME OWNER
	sponsive @ \$5/M		\$5.00 INCOME SELECT
Radius @	-		\$5.00 MARITAL STATUS
			\$15.00 PHONE NUMBER
Ailments:			\$5.00 LENGTH OF RESIDENCE
Acid Ref	flux Disease	900,000	\$5.00 SCF
Acne/Ros	Sacea	5,000,000	\$5.00 STATE
Adenoid	Problems	31,800	\$5.00 ZIP
Alcohol	Use- Heavy	484,500	\$10.00 P/S LABELS
Allergie	28-		\$30.00 TELEMARKETING CARDS
All Ty	ypes	8,000,000	\$15.00 GALLEY LISTING
Wheat		63,153	\$50.00 EMAIL DELIVERY (FLAT
Allergy	/Hay Fever - Nasal	5,757,199	\$100.00 RUSH FEE (FLAT FEE)
Alzheime	er's	900,000	\$50.00 DISKETTE (FLAT FEE)
Anemia		81,500	\$5.00 PRESENCE OF CHILDREN
Aneuris	ns	30,000	\$5.00 GENDER/SEX
Angina		509,700	
	a Nervosa	41,000	MINIMUM ORDER
Anxiety		389,158	\$750.00
	sclerosis	900,000	\$1,500.00- UNLIMITED USE
Arthrit			
	ation Prescription	1,000	
	ation OTC	1,000	
	is/Rheumatism	12,000,000	
Arthrit	is-Rheumatoid	491,979	



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Asthma Astigmatism Athletes Foot Attention Deficit Disorder (ADD/ADHD)	3,000,000 809,500 839,923 1,100,000
Attention Deficit Disorder- Child	900,000
Backache Bad Breath Baldness (hair loss)- Alopecia Bedsores Birth Defects Bladder Incontinence Bladder Infection Bleeding Gums/Gingivitis Boils Breast Cancer Bronchitis Bruising Bulimia Bunions	2,856,500 201,611 3,000,000 5,000 92,700 2,000,000 76,421 480,600 8,200 186,569 400,000 2,000 3,500 6,800
Cancer- All Bladder Bone Brain Tumor Breast Cervical Clusters Colorectal Colon Gynecological Hodgkin's Disease Kidney Laryngeal Leukemia Liver Lung Lymphoma Non - Hodgkin's Oral Ovarian Pancreatic Prostate Skin/Melanoma Testicular Thyroid	2,000,000 53,000 200,000 10,000 300,000 70,000 150,000 5,667 70,000 10,000 30,000 4,000 30,000 26,000 200,000 55,000 13,000 27,000 26,000 50,000 55,000 13,000 26,000 50,000 55,000 13,000 26,000 50,000 55,000 13,000 26,000 50,000 55,000 11,000 16,000



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Uterine	50,000
Candida	2,000
Cardio- Heart Ailments	1,000,000
Carpal Tunnel Syndrome	51,100
Cataracts	200,000
Celiac-Sprue	8,103
Cellulite	125,000
Cerebrovascular	400,000
Chapped Lips - Freq From '97 On	1,010,953
Chewing/Swallowing Difficulties	42,980
Child Bladder Problems/Bedwetting	8,972
Chronic Back Pain	1,294,321
Chronic Ear Infections	32,770
Chronic Obstructive Pulmonary	200,000
Disease Chronic Pain Circulation Clinical Depression Cold Sores Colitis Congestive Heart Disease Constipation Contact Lenses Corns/Calluses Crony Colluses Croup Dandruff Denture Sores Dentures Depression Dermatitis Diabetes- Treat With Diet or Exercise Treat With Insulin Treat With Oral Medication Type 1 Type 2 Diarrhea Dry Mouth Dry/Flaky Skin Dysphasia Ear Infections Eating Disorder Eczema Emphysema	34,817 35,200 898,626 185,637 32,000 6,900 32,036 3,136,809 350,000 64,000 13,400 327,107 2,492 1,246,064 1,098,897 57,500 2,000,000 581,500 481,500 1,072,000 481,500 1,072,000 481,500 1,072,000 6,696 96,632 324,694 675,000 7,633 51,000 13,548 100,000 127,676



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Developition Poil Deflue Discord	2 000 000
Esophagitis- Acid Reflux Disease	2,000,000
Estrogen Replacement Therapy	358,300
Fatigue Syndrome	278,200
Flu- Seasonal	473,771
Fungus Infections	289,654
Fungus Infect-Nail/Foot	815,286
Gallstones	4,500
Gas	385,402
Gastritis	384,100
Gastroenteritis	1,900,000
Gastroesophogal Reflux Disease	200,000
Gastrointestinal Ailments	6,000,000
Genital Herpes	695
Genital Warts	15,717
GERD/Reflux/Ulcers	734,992
Gingivitis	83,898
Glasses	9,280,119
Glaucoma	300,000
Gum Disease	441,600
Hair Loss/Baldness	3,000,000
Headaches	3,762,687
Headaches-Migraines	3,000,000
Hearing Aid	112,651
Hearing Impaired/Hearing Aid	1,312,582
Heart Attack	60,314
Heart Disease	964,774
Heartburn/Acid Indigst	7,275,612
Heartburn- Night-Time	6,310
Heart Disease/Angina	1,900,000
Heavy Menstrual Flow	165,553
Hemorrhoids	2,000,000
Hepatitis C- Acquaintance	2,077
Hepatitis C- Self	1,390
Hernia	6,300
High Blood Pressure	4,000,000
High Cholesterol	5,000,000
Hip Conditions & Ailments	300,000
Hives	30,000
Hyperactivity	700,000
Hypertension	3,000,000
Hyperthyroidism	144,281
Hypoglycemia	700,000
Impotence	340,741
Incontinence Combined	919,511
Indigestion- Chronic	199,500
Infertility Insomnia	30,000 Thouiro
	Inquire



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Irritable Bowel Synd	399,609
Kidney Disease	9,300
Lactose Intolerance	200,000
Laryngitis- Chronic	36,000
Leg Fatigue/Achiness	140,048
Low Protein Disorder	
	11,320
Lupus	16,000
Lyme Disease	7,668
Menopause	4,000,000
Menstrual Cramps	373,057
Menstrual Flow- Heavy	165,553
Migraines	2,197,500
Milk/Dairy Digestive Problems	111,000
Moles	300,000
Motion Sickness	243,547
Multiple Sclerosis	94,926
Muscle Cramping	147,800
Obesity	4,000,000
Obesity- Morbid	129,827
Obsessive-Compulsive Disorder	52,000
Osteoporosis	1,000,000
—	1,000,000
Ostomy	
Overweight	4,362,069
Pain- Chronic	513,000
Panic Attacks	45,000
Parkinson's Disease	109,400
Pelvic Inflammatory Disease	3,500
Perspiration- Uncontrollable	72,100
Phobias	34,800
Physical Handicap	288,400
Plantar Warts	63,700
Postnasal Drip- Chronic	61,700
Pre-Menstrual Dysphoric Disorder	2,000,000
(PMDD)	
Pre-Menstrual Syndrome (PMS)	2,000,000
Prosbyopia	895,000
Prostate	400,000
Psoriasis	506,254
Respiratory Conditions	15,000,000
Rheumatism	3,021,098
Rosacea	52,259
Seasonal Affective Disorder	52,200
Sensitive Skin	1,152,500
Sensitive Teeth	
	590,000
Shingles	37,903
Sinus	1,060,000
Skin Conditions	200,000



Smokers	12,000,000
Snoring	286,147
Spinal Cord Injury	153,695
Sports/Orthopedic Injury	369,800
STD's	217
Stroke	26,922
Therapy User	1,000
Thinning Hair	1,071,000
Ulcers- All Types	3,000,000
Ulcerative Colitis	32,538
Ulcers-	
HPI	2,000,000
Peptic	1,000,000
Colitis	32,000
Upset Stomach	184,048
Urinary Tract Infection	119,800
Vaginal Dryness	19,130
Varicose Veins	843,231
Varicosity	67,603
Vision Loss	268,600
Warts	188,400
Wheelchair Use	261,089
Yeast Infections	755,600

Media: The head of the household or the person with the illness have responded to a questionnaire/survey indicating that someone in the household suffers from an ailment

Rush: 48 hour delivery

All orders cancelled before the mail date will incur a \$50/F cancellation fee, along with \$10/M running charges plus shipping. Full charges will apply to all orders cancelled after mail date.

List #1768-4



Hippo Direct - Corporate Headquarters Greg Branstetter, President Phone: (440) 519-0730 Fax: (440) 519-0727 Email: gbhippo@hippodirect.com PAGE 6 M095210

\$150/M +\$100/M

Inquire

- 9,000,000 Households * Rx Email Addresses Multiple Use
- * One Select @ N/C If your order contains multiple selects, the lowest priced select will be the free select. The free select offer does not apply to royalty-based selects.

(Formerly: A Datacap Survey Access File)

Equifax's Rx Selector is a leading selfreported database containing fresh and accurate information pertaining to consumers' ailments and usage of prescription and overthe-counter pharmaceuticals. That is because we survey millions of households every year. Plus, we offer unparalleled lifestyle and demographic information from our other proprietary data sources.

Additional Selections: Ailments @ N/C # Denotes Premium Select @ \$10/M 0 - 60 Day Hotline @ \$12/M 2.5 - 6 Month Hotlines @ \$6/M Each Add'l Select @ \$8/M Smokers- Please inquire Telemarketing- Please inquire Cheshire Labels-First Set @ N/C Add'l Set @ \$5/M

Ailments: Acne, ADHD, Alzheimer's, Anxiety, Arthritis, Asthma, Back Pain, Bladder Control, Breast Cancer, Bronchitis/Chronic Bronchitis, Cancer, Chrons Disease, Clinical Depression, Colon Cancer, Considering Laser Vision Correction, Contact Lenses, Diabetes, Diabetes Type 1, Diabetes Type 2, Emphysema, Eye Glasses, GERD/Reflux, Heart Attack/Heart Disease, Heartburn/Acid Indigestion, Hemorrhoids, High Blood Pressure, High

----- DATE -----06/01/04 UPDATED Inquire 07/02/04 CONFIRMED ----- UNIT OF SALE -----N/A ----- GENDER -----% N/A CANNOT SELECT ----- MEDIA -----100% COMPILED SEE TEXT ----- ADDRESSING ------4-UP CHESHIRE OR DISKETTE ----- SELECTIONS ------\$30.00 PHONE NUMBER \$3.50 SCF \$3.50 STATE \$3.50 ZIP \$5.00 CARRIER ROUTE \$1.00 KEYING \$6.00 P/S LABELS \$8.00 RUN CHARGES \$20.00 EMAIL DELIVERY (FLAT \$25.00 DISKETTE (FLAT FEE) \$20.00 CARTRIDGE (FLAT FEE) \$25.00 CD-ROM (FLAT FEE) \$30.00 MODEM/FTP/BBS (FLAT ----- MINIMUM ORDER ------\$600.00 ---- NET NAME POLICY -----85% + \$8.00

RUN CHARGES

100,000



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Cholesterol, Impotence/ED, Irritable Bowel Syndrome, Menopause, Migraines, Multiple Sclerosis, Nasal Allergies, Obesity, Osteoporosis, Prostate Cancer, Psoriasis, Rheumatism, Rheumatoid Arthritis, Sinusitis, Spinal Cord Injury, Wheelchair Use

Over-The-Counter: Heartburn Meds

Rx: Adderall, Adderall XR, Allegra, Beconase, Celebrex, Claritin, Claritin D, Concerta, Flonase, Glucophage, Imitrex, Lipitor, Nasacort, Nasalcrom, Nasonex, Other Allergy Medicine, Oral/Injectable Insulin, Paxil, Premarin, Prescription Asthma Meds, Prescription Heartburn Meds, Prozac, Rhinocort, Rhinocort Aqua, Ritalin, Ritlin LA, Vancease, Viagra, Vioxx, Zoloft, Zyrtec

Demographic: # Age Ranges of Adults in Household, Number of Adults in Household, Age Ranges of Children in Household, Number of Children in Household, Gender, Home Owner/Renter, Income, Occupation, # Education, Length of Residence, Mail Order Buyer, Mail Order Donor, Mail Order Responder

Lifestyle:

Leisure & Hobbies- Automotive Work, Avid Book Reading, Bible/Devotional Reading, # Casino Gambling, Cat Owner, Collectibles/Collections, Contests/ Sweepstakes, Computer Software, Crafts, Dog Owner, Flower Gardening, Grandchildren, Home Decorating/Furnishing, Home Office, Home Workshop/Do-It-Yourself, Opportunity Seeking, Photography, Satellite Dish Owner, Self-Improvement, Shop Via Internet, Vegetable Gardening, Wireless/Cellular Phone

- Books- Audio, Children's, Inspirational, Mystery, Non- Fiction, Novels, Romance, Science Fiction
- Fine Living- Attend Cultural/Arts Events, Cruise Ship Vacations, Timeshares, Fashion Clothing, Fine Art/Antiques, Foreign



Travel, # Frequent Flyer, Gourmet Cooking/ Fine Foods Health- Dieting/Weight Control, Healthy Cooking/Natural Foods, Vitamins/Health Foods Insurance- Auto/Home, Life/Health, Month Auto Insurance Renewal Credit- Credit Cards Collectors- Books, Dolls, Nascar Memoribilia, Plates, Sports Memoribilia, Wrestling Memoribilia Investing & Money- Moneymaking Opportunities, # Real Estate Investments, # Stock/Bond Investments Sports/Recreation- Camping/Hiking, Fishing, Golf, Great Outdoors, Hunting/Shooting, Physical Fitness/Exercise, Running/Jogging World & Environment- Children Diseases/ Issues, Democratic Contributor, # Donate to Charitable Causes, Health Related Charities, Interest in Specific Types of Charities, Republican Contributor, Veterans, # Wildlife/Environmental Issues Telecommunications- Cellular Phone Service, Cingular, ATT, MCI, Nextel, Sprint, Verizon, VoiceStream/T-Mobile, Qwest, Other

Telemarketing script and mail/call date required.

All respondents have an opt-out option.

Source: Self-reported data from surveys

Delivery: 3 - 5 working days

Payment require for orders cancelled prior to shipping; \$75/F processing cancellation charge; \$8/M run charge for records processed; and all custom formatting and data processing charges, if applicable.

Payment required for orders cancelled after shipping but prior to mail date: \$75/F processing cancellation charge; \$8/M run charge for records supplied; all selection



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charge(s); output medium costs (ie tapes, diskettes); shipping costs and custom formatting and data processing charges if applicable.

Payment required for orders cancelled on or after mail date: All previously agreed upon charges will apply, including, but not limited to: Base charge, selection charge(s), custom formatting and data processing charges if applicable, output mediums costs (ie tapes, diskettes), and shipping costs.

Updated monthly.



Medical Ailment/Condition Respondents

SOURCE:

Internet Survey Data

MINIMUM ORDER:000

\$200 00/M

21,612,373 Total list Select Ailment: 10,612,317 Allergies 1,116,432 Alzheimers 13,472,179 Arthritis 3,963,420 Asthma 1,013,722 Back pain 4,016,372 Balding/thinning hair 2,617,441 Bladder control 489,306 Breast cancer 4,143,748 Cancer 817,262 Contact lens wearers 3,498,247 Diabetes 197,361 Eczema 71,047 Epilepsy 3,116,418 Eye glass wearers 4,776,918 Has ulcers 2,223,474 Headaches 1,517,363 Hearing difficulty 517,042 Heart disease 5,698,347 High blood pressure 6,941,049 High cholesterol 317,921 Impotence 898,363 Insomnia 226,472 Lactose intolerant 4,476,379 Menopause 406,079 Multiple sclerosis 1,572,369 Osteoporosis 5,541,373 Overweight 217,041 Parkinsons disease 1.293.626 Prostate cancer 948,746 Psoriasis 515,936 Sinusitis 5,116,075 Ulcers 99,373 Use wheelchair

PROFILE:

For the first time you can reach those people suffering from specific health disorders. This survey respondent file can target people with minor ailments to those with major medical problems. This survey provides in-depth profiles of the respondents with an abundance of demographic and psychographic data which is extremely valuable to any marketer. This specialized group proves highly responsive to offers including: medical products & services, insurance, fundraising, magazine subscriptions and much more.

member

SELECTIONS: State Scf Zip

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\$5.00/M \$5.00/M \$5.00/M

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Medical Ailment/Condition Respondents

Age Income Credit Card Presence Of Children Mail Order Buyers

\$5.00/M	
\$5.00/M	
\$8.00/M	
\$5.00/M	
\$10.00/M	



MEDICAL AILMENT MASTERFILE

Key Segments		
729,860	Households	\$125/M
124,150	Diabetics	+\$5/M
115,421	Weight Loss	+\$5/M
302,037	Health Conscious	+\$5/M
96,706	High Cholesterol	+\$5/M
93,212	Chronic Arthritis	+\$5/M
113,464	High Blood Pressure	+\$5/M
67,940	Internet Preference	+\$10/M
17,693	3 Month Hotline	+\$11/M
29,791	6 Month Hotline	+\$6/M
	Fundraising/Publishing Rate	\$65/M

AUDIENCE PROFILE

Equal sweetener, a leading brand of sugar substitute, offers consumer households with self-reported ailment information gathered through *Equal* customer surveys, magazine ads and the *Equal* website.

MARKETING INSIGHT

An excellent target audience for any health-related offer including magazines, health/ fitness products, fundraising, insurance, credit card/financial, continuity programs and more.

TERMS AND CONDITIONS

Sample mail piece required. Allow 3-5 working days to process order. Payment due 30 days from mail date. Cancellations after mail date are fully due. Net name arrangement negotiable based on reciprocity and annual volume usage. File run against NCOA with updates. 20% commission to authorized brokers on base rate.

Equal[®] is a registered trademark of Merisant Company.

Gender:	23% Male
	68% Female
Minimum:	8,000
Source:	100% Direct Response
Updates:	NO LONGER UPDATING
Addressable	Material:
PS Labels	
Chashira I	abala

- Cheshire Labels
- Diskette
- E-Mail
- 9TR 1600/6250 BPI Magnetic Tape

SELECTION CHARGES

3 Month	\$11/M
6 Month	\$6/M
SCF/State	\$6/M
Gender	\$6/M
Age	\$11/M
Run Charges	\$10/M
PS Labels	
Cheshire Labels	N/C
Diskette	\$50/F
E-Mail	\$50/F
Mag Tape	\$70/F

Service Bureau:

Direct Tech 955 American Lane Schamburg, IL 60173 Attn: Eric Sanchez

ALC of New York Contacts:

Sales: Greg Jarrow 212-381-1726 greg.jarrow@alcny.com

Production:

Kathy Mclean 212-381-1709 kathy.mclean@alcny.com



ALC of New York, L.L.C.

Health & Fitness

Bio-Genetics (T) Diabetic Supply of U.S.A. Express Med (T) Gero Vita (T) Health Labs of North America (T) Magnolia Health Services Pfizer, Inc. Scooter Store Tabak's Health Products (T) Zurich Biopharmicals (T)

Publishing

Healthy Living (T) International Masters Publishing (T) Oxmoor House Publication International, Ltd. (T) Rapaport Publishing **Reiman Publishing Rodale Press** Time Warner Publications/ Oxmoor House (T)

Fundraising

AARP (T) Juvenile Diabetes Foundation

Misc.

America Online (T)



For more information, contact: ALC of New York, L.L.C. Greg Jarrow, Account Executive 212-381-1726 New York greg.jarrow@alcny.com

American List Counsel	management for the digital age	Home	earch For Lists Insert Media List D	go to www.ALClists.com o go to www.alc.com o go to www.alcny.com o DATABLAST Sign Up View Directory Order Status Contact
Datacard				
KEY SEGMENTS AUDIENCE	USAGE CONTACTS			REQUEST COUNT
Frank Cawood & Associate	es - Health Book Buyers	View other Dat	tacards from the Full Network of F	Properties
	Cawood & Associates - H	ealth Book	Uiew Datacard Print Version	Uiew Usage
Buyer	S		🕫 Email Datacard and Usage	
Associate	on of consumer information for 25 yea s publishes reference books that help lives and overcome illness.		LIST TYPE Consumer	≡ mail
	See the work of Properties		SOURCE Direct Mail Sold/Space GEOGRAPHY	
Key Segments			Domestic (US) and Canad	la
1,086,100	Universe / Base Rate	\$105.00 /M		_
582,300	12 Month Paid Buyers	+ \$6.00 /M	Frank Cawood & Associate LIST MAINTENANCE	2S
355,300	6 Month Paid Buyers	+ \$11.00 /M	Counts through	02/28/2005
			Last update Update frequency	04/01/2005 MONTHLY
229,300	3 Month Paid Buyers	+ \$16.00 /M	UNIT OF SALE INFORMAT	
93,400	1 Month Paid Buyers	+ \$21.00 /M	High:	\$32.00
39,600	12 Month Canadian Paid Buyers	+ \$11.00 /M	Low	\$12.99
	Fundraising Rate	\$75.00 /M	GENDER PROFILE Male:	28%
	Non-Affinity Catalog Rate	\$80.00 /M	Female:	56%
	Non-Annity Gatalog Nate	400.00 /W	INCOME	
ВАСК ТО ТОР 🔺			Average:	\$35,000.00
Audience Profile			SELECTION CHARGES	
Buyers of these natural hea improved lifestyle and hea effects of vitamins and pre	aling and preventative health books are thy living. The books examine topics si scription drugs and suggest natural me elieve high blood pressure and arthritis	uch as the side hods for health	1 MONTH HOTLINE 12 MONTH HOTLINE 3 MONTH HOTLINE 6 MONTH HOTLINE CANADIAN GENDER/SEX	\$21.00 /M \$6.00 /M \$16.00 /M \$11.00 /M \$11.00 /M \$6.00 /M
Beat Arthritis, Diabetes, High Problems; Amazing IBS Breal Work; Natural Cures and Gen Surgery; The Folk Remedy Er	Eat and Heal; Unleash the Inner Healing P Blood Pressure, High Cholesterol- and 51 throughs-Natural Remedies and Medical M tle Medicine-That Work Better Than Danger ccyclopedia-Olive Oil, Vinegar, Honey and 1 re Lowered Naturally-Your Arteries Can Cle	other Common Health iracles that Really rous Drugs or Risky ,001 Other Home	MULTIBUYER SCF SOURCE STATE ZIP ADDRESSING	\$11.00 /M \$6.00 /M \$6.00 /M \$6.00 /M \$6.00 /M
Home Health Secrets for Sen Health; Amazing Body & Brai	iors; Fitness for Seniors-Amazing Body Bre	akthroughs for Super mory, Avoid Alzheimers	CARTRIDGE CHESHIRE LABELS	\$25.00 /F No charge \$55.00 /F

Health; Amazing Body & Brain Breakthroughs- How To Enhance Your Memory, Avoid Alzheimers and Improve Your Health and Thinking at Any Age: Super Life, Super Health; Nature's Prescription-Food, Vitamins, and Supplements That Prevent Disease; 1,001 Prescription Drugs-Side Effects, Dangerous Combinations and Natural Healing Alternatives for Seniors; The Prostate Answer Book-Remedies and Cures for Every Man and What Your Doctor Never Tells You About Surgery; Inner Cleansing Cures; Ordinary Ailment, Extraordinary Cures- Health Breakthroughs and Remarkable Remedies That Work Better Than Dangerous Drugs or Risky Surgery; The Big Book of Health Secrets; Serious Symptom, Simple Solutions-What To Do When You've Tried Everything Else.

These mail order responders are excellent prospects for health and self-improvement offers, publishing, natural vitamins and methods, financial advice booklets, alternative medicine and nutritional information, insurance, fundraising and general merchandise and health related catalogs.

Terms and Conditions

Sample mail piece required. 3-5 working days required to process order. Payment due 30 days from mail date. Any order received at ALC will be subject to a flat cancellation fee. 20% commission to authorized brokers on base rate. List Owner reserves the right to protect mail dates from competitive mailers. First time orders must be prepaid. No telemarketing allowed.

ВАСК ТО ТОР 🔺

10	0/5/2005	10:35	AM

\$55.00 /F

\$25.00 /F

\$30.00 /F

\$10.00 /M

\$3.00 /M

7,500

1.000

\$350.00 /F

\$75.00 /F

20%

\$350.00

EMAIL

MAG TAPE

KEY CODING

Charges: MINIMUM ORDER

Quantity:

Reuse is allowed Min Qty:

TELEMARKETING

CANCELLATION

Telemarketing is not allowed

Dollar:

REUSE

Charges:

Charges: COMMISSIONS

Broker:

MAG TAPE SET UP CHARGE P/S LABELS

Key Coding is available

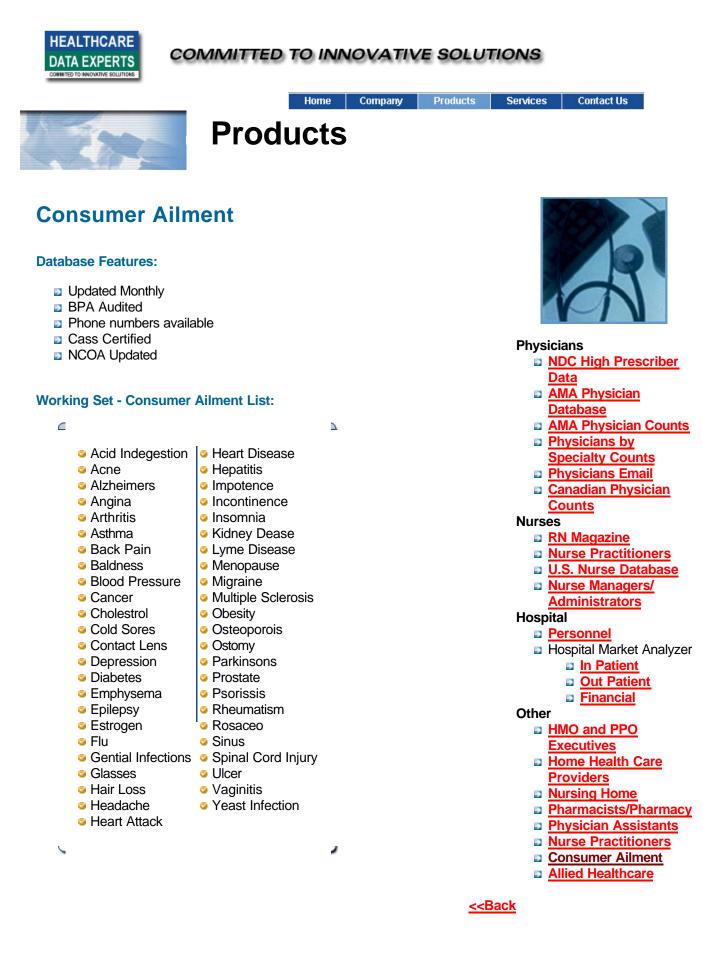
powered by 🎛 NextMark

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Usage - Last 12 month continuation <u>Fundraising/Membership Usage</u> <u>Catalog/Merchandise Usage</u> <u>Publishing</u> Books Usage	1		E ARRANGEMENTS e is allowed. ges:	85% 50,000 \$350.00 /M
Financial/Credit Card/Insurance Usage		EXCHANG		
View all Usage Details		Exchange	is allowed.	
ВАСК ТО ТОР				
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Reginald Higginbotham	Cust. Serv counts, clearances, status	reginald.higginbotham@alc.cor	<u>n</u> (609) 580-2769	(609) 580-2809
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AILMENT SUFFERERS MASTERFILE AMERICAN	I INDEX CS	091576	04/30/2005
690,666 Monthly Hotline (avg) 2,425,710 Last 3 Month Hotline (avg) 25,781,459 Ailment Sufferers 14,179,802 Males 11,601,655 Females	+\$10/M +\$5/M \$125/M +\$10/M +\$10/M	10/01/2 02/01/2	
24,180,978 Phone Numbers	+\$25/M		T OF SALE
So, what's ailing you (or someone i household). That's what these Inte sourced survey respondents answered additional demographic information themselves or the household.	ernet 1 along with	14,179,802	GENDER MALE //CAN FEMALE//SELECT
Additional Selections: Specific Ailment @ \$10/M Selects- Please inquire		100% INTERN	MEDIA ET SOURCED/ RESPONDENTS
Selects: Age Range, Income, Occupa Education Level, Marital Status, Ownership		DISKETTE OR	DRESSING
Specific Ailment:		SE	LECTIONS
Acne	205,144	\$25.00 PHC	NE NUMBER
ADD/ADHD	248,682	\$10.00 DEM	OGRAPHIC SELECT
Allergies	1,142,288	\$6.00 SCF	1
Alzheimers	64,057	\$6.00 STA	TE
Angina	239,549	\$6.00 ZIP	
Anxiety	160,253	\$7.50 RUN	CHARGES
Arm and Shoulder Pain	390,814	\$50.00 EMA	IL DELIVERY (FLAT
Arthritis	761,143	\$35.00 DIS	KETTE (FLAT FEE)
Asthma	1,284,629	\$10.00 MON	THLY HOTLINE
Back Pain	1,917,958	\$5.00 3 M	ONTH HOTLINE
Balding/Hair Loss	811,955	\$10.00 GEN	DER/SEX
BedWetting	79,321		
Bladder Control Problems	310,552		
Bleeding Gums/Gum Disease	388,247	MIN	IMUM ORDER
Blood Disorder	12,616	5,000	
Cancer	105,628		
Chronic Bronchitis	85,489		
Chronic Pelvic Pain	14,850		AME POLICY
Cold Sores	106,579	85% + \$	7.50
Chronic Obstructive Pulmonary	34,695	RUN CHARGES	
Disease-COPD		50,000+	
Dentures	33,391		
Depression	798,175		
Diabetes	518,108		
Diabetes- Type 1	78,194		
Diabetes- Type 2	149,158		
Eating Disorder	116,944		
Eczema	401,608		
Emphysema	107,671		
Endometriosis	9,785		
Epilepsy	93,174		
Estrogen Inbalance	278,656		
Gastritis	245,013		
Gastro Esophageal Reflux Disease (GERD)	98,347		

Frequent Headaches	1,090,702
Frequent Heartburn	838,875
Frequent Migraines	1,099,965
Hearing Problems/Loss	518,895
Heart Condition	359,063
High Blood Pressure	1,131,725
High Cholesterol	875,249
Impotence	83,226
Impotence/Erectile Dysfunction	23,844
(ED)	
Insomnia	672,244
Irritable Bowel Syndrome (IBS)	238,096
Lactose Intolerant	400,853
Macular Degeneration	28,598
Menopause	69,716
Menstrual Cramps	514,628
Multiple Sclerosis	58,310
Nasal Allergy	1,708,979
Obesity	200,510
Osteoporosis	97,500
Parkinson's Disease	15,252
Physical Handicap	126,884
Prostate (enlarged)	47,310
Prostate Cancer	8,212
Psoriasis	66,196
Rheumatoid Arthritis	69,731
Sinusitis	507,281
Snoring	109,800
Spinal Injury	125,786
Sports Injury	264,138
Stroke	13,369
Ulcer	161,231
Visual Impairment	166,957
Wheel Chair	24,027
Yeast Infection	237,708
FO/E concellation for an ordere	rengelled

\$50/F cancellation fee on orders cancelled prior to mail date. Full charges apply on orders cancelled after mail date.

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Consumer Medical Conditions

Universe Count • 39,000,000 Individuals

Update Frequency
Monthly

List Rental Pricing

Call for pricing

List Sources

Each month we receive updated, verified information directly from the consumer. Call and learn about obtaining fresh leads that are available within 30 days of survey! Learn who uses prescription and non-prescription medications, their preferred brands and for what ailments.

Mail Piece is required on all specialty lists and is subject to approval.

Demographic Selections

- Ailment
- Gender
- Age
- Income
- Education
- Credit Card Ownership
- State, County & ZIP+4 Code
- Phone Number

Conditions

ADHD Allergies/Nasal Allergies/Wheat Alzheimer's (Includes Adult Caregiver) Arthritis Asthma Athletes Foot Breast Cancer Bronchitis Celiac-Sprue Chewing/Swallowing Difficulties **Chronic Back Pain Clinical Depression** Colon Cancer Constipation Contact Lenses Crohns Disease Dandruff Dentures **Diabetes-All** Diabetes -Type 1 Diabetes -Type 2 Dry/Flaky Skin Eczema

Emphysema Epilepsy Frequent Chapped Lips Frequent Cold Sores Frequent Flu Fungus Infections-Nail/Foot GERD/Acid Reflux/Ulcers Gingivitis Glasses Glaucoma Hair Loss/Baldness Headaches Hearing Impaired Hearing Aid Heart Attack Heartburn/Acid Indigestion Heart Disease High Blood Pressure High Cholesterol Hyperthyroidism Impotence/ED Incontinence-Urine Insomnia Irritable Bowel Syndrome

Lactose Intolerance Low Protein Disorder Lyme Disease Menopause Migraines Motion Sickness **Multiple Sclerosis** Obesity Osteoporosis Parkinson's Disease Prostate Cancer Psoriasis Rheumatoid Arthritis Rosacea Shingles Spinal Cord Injury Ulcerative Colitis Ulcers Use Wheelchair Yeast Infections

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