

Congress of the United States  
House of Representatives

SELECT SUBCOMMITTEE ON THE CORONAVIRUS CRISIS

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

Phone (202) 225-4400

<https://coronavirus.house.gov>

October 29, 2021

Ms. Lina M. Khan  
Chair  
Federal Trade Commission  
600 Pennsylvania Avenue, N.W.  
Washington, D.C. 20580

Dear Chair Khan:

I write to request that the Federal Trade Commission (FTC) investigate the deceptive conduct of companies promoting and profiting from misinformation about the coronavirus, including America's Frontline Doctors (AFLDS) and SpeakWithAnMD.com. AFLDS and SpeakWithAnMD.com are reportedly profiting from the promotion and sale of treatments falsely advertised as cures for coronavirus infection, such as hydroxychloroquine and ivermectin. Misinformation endangers public health and fuels vaccine hesitancy by promoting the false ideas that coronavirus vaccines are unsafe and ineffective and that alternative drugs can prevent or cure coronavirus infections.<sup>1</sup> Exploiting these falsehoods for financial gain puts American lives at risk and sets back our nation's efforts to combat the spread of the coronavirus. I am concerned that these predatory practices are endangering American lives and harming our efforts to stop the spread of the virus.

AFLDS and SpeakWithAnMD.com have profited by facilitating paid consultations and off-label prescriptions for purported coronavirus treatments that the companies promote online. AFLDS's website refers patients to SpeakWithAnMD.com, which provides consultations with "AFLDS-trained physicians" willing to prescribe hydroxychloroquine, ivermectin, and other unproven treatments.<sup>2</sup> The Food and Drug Administration (FDA), Centers for Disease Control and Prevention (CDC), and National Institutes of Health (NIH) have cautioned that drugs like ivermectin and hydroxychloroquine are not effective in preventing or treating coronavirus

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<sup>1</sup> *How Ivermectin Became the New Focus of the Anti-Vaccine Movement*, National Public Radio (Sept. 19, 2021) (online at [www.npr.org/sections/health-shots/2021/09/19/1038369557/ivermectin-anti-vaccine-movement-culture-wars](http://www.npr.org/sections/health-shots/2021/09/19/1038369557/ivermectin-anti-vaccine-movement-culture-wars)).

<sup>2</sup> *Network of Right-Wing Health Care Providers Is Making Millions off Hydroxychloroquine and Ivermectin, Hacked Data Reveals*, The Intercept (Sept. 28, 2021) (online at <https://theintercept.com/2021/09/28/covid-telehealth-hydroxychloroquine-ivermectin-hacked/>).

infections and can cause severe illness or other side effects.<sup>3</sup> Nevertheless, SpeakWithAnMD.com has stated that its providers make hydroxychloroquine and ivermectin available to the public.<sup>4</sup> AFLDS's website states that "[h]ydroxychloroquine (HCQ), Ivermectin, and other COVID-19 medications can be obtained by prescription in the USA in almost every state" and claims falsely: "Our physicians know that HCQ and Zinc are effective both prophylactically and when used early."<sup>5</sup>

According to recent reports, AFLDS referred over 255,000 individuals to SpeakWithAnMD.com between July 16, 2021, and September 12, 2021—approximately 72,000 of whom paid \$90 for initial phone consultations and many of whom had follow-up consultations for an additional \$60.<sup>6</sup> AFLDS will not accept medical insurance coverage for these consultation fees, claiming: "We are outside the insurance system specifically because insurance system is blocking you from obtaining what you need for your good health."<sup>7</sup>

Following paid consultations with "AFLDS-trained physicians," SpeakWithAnMD.com's medical providers prescribe thousands of doses of potentially hazardous coronavirus treatments. Patients reportedly paid millions of dollars to fill these prescriptions, nearly all out-of-pocket.<sup>8</sup> SpeakWithAnMD.com makes patients acknowledge that "Hydroxychloroquine (HCQ) and Ivermectin have been deemed 'Highly Not Recommended' by the [World Health Organization], FDA, CDC, and NIH," before providing the disclaimer that "the clinician cannot be held liable nor can any medical license in any state be reviewed or held accountable" if "a patient choose[s]

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<sup>3</sup> See, e.g., Centers for Disease Control and Prevention, *Rapid Increase in Ivermectin Prescriptions and Reports of Severe Illness Associated with Use of Products Containing Ivermectin to Prevent or Treat COVID-19* (Aug. 26, 2021) (online at <https://emergency.cdc.gov/han/2021/han00449.asp>); Food and Drug Administration, *FDA Cautions Against Use of Hydroxychloroquine or Chloroquine for COVID-19 Outside of the Hospital Setting or a Clinical Trial Due to Risk of Heart Rhythm Problems* (July 1, 2020) (online at [www.fda.gov/drugs/drug-safety-and-availability/fda-cautions-against-use-hydroxychloroquine-or-chloroquine-covid-19-outside-hospital-setting-or](http://www.fda.gov/drugs/drug-safety-and-availability/fda-cautions-against-use-hydroxychloroquine-or-chloroquine-covid-19-outside-hospital-setting-or)); National Institutes of Health, *Chloroquine or Hydroxychloroquine and/or Azithromycin* (July 8, 2021) (online at [www.covid19treatmentguidelines.nih.gov/therapies/antiviral-therapy/chloroquine-or-hydroxychloroquine-and-or-azithromycin/](http://www.covid19treatmentguidelines.nih.gov/therapies/antiviral-therapy/chloroquine-or-hydroxychloroquine-and-or-azithromycin/)).

<sup>4</sup> See, e.g., SpeakWithAnMD.com (@speakwithanmd), Twitter (Jan. 8, 2021) (online at <https://twitter.com/speakwithanmd/status/1347730639819194369>) ("We can prescribe Ivermectin- and yes script can be sent locally."); SpeakWithAnMD.com (@speakwithanmd), Twitter (Dec. 5, 2020) (online at <https://twitter.com/speakwithanmd/status/1335091462048870401>) ("We will consider HCQ for our patients.").

<sup>5</sup> America's Frontline Doctors, *Home Page* (online at <https://americasfrontlinedoctors.org>) (last accessed on Oct. 22, 2021).

<sup>6</sup> *Network of Right-Wing Health Care Providers Is Making Millions off Hydroxychloroquine and Ivermectin, Hacked Data Reveals*, The Intercept (Sept. 28, 2021) (online at <https://theintercept.com/2021/09/28/covid-telehealth-hydroxychloroquine-ivermectin-hacked/>).

<sup>7</sup> America's Frontline Doctors, *Home Page* (online at <https://americasfrontlinedoctors.org>) (last accessed on Oct. 22, 2021).

<sup>8</sup> *Network of Right-Wing Health Care Providers Is Making Millions off Hydroxychloroquine and Ivermectin, Hacked Data Reveals*, The Intercept (Sept. 28, 2021) (online at <https://theintercept.com/2021/09/28/covid-telehealth-hydroxychloroquine-ivermectin-hacked/>).

to not disclose their proper medical history.”<sup>9</sup> Despite these warnings, AFLDS and SpeakWithAnMD.com have touted these drugs as supposed miracle cures for the coronavirus and have helped to promote and enable their use by facilitating the writing of off-label prescriptions.<sup>10</sup>

AFLDS and SpeakWithAnMD.com have used social media to spread misinformation about the coronavirus and promote their business interests over the course of the pandemic. Among other things, AFLDS has downplayed the risks of the coronavirus, misrepresented the effectiveness of mitigation measures such as masks, and promoted false claims about the coronavirus treatments and vaccines.<sup>11</sup> SpeakWithAnMD.com has also promoted false claims about coronavirus treatments, including claiming on Twitter: “Dr cures 1700 people with HCQ” and “Multiple studies confirm HCQ is highly effective against Covid 19.”<sup>12</sup> This is particularly troubling since the medical credentials of those affiliated with these groups lend credence to untested and dangerous claims that may confuse and mislead the public.<sup>13</sup>

In recent months, consumer complaints about AFLDS and SpeakWithAnMD.com have mounted. One report found that “hundreds of AFLD[S] customers and donors have accused the group of touting a service promising prescriptions for ivermectin” and “failing to deliver after a fee had been paid.”<sup>14</sup> Some individuals were charged for consultations that never occurred. In total, individuals appear to have paid more than \$6.7 million for consultations during this two-month period, generating \$113,000 per day, on average, for SpeakWithAnMD.com and AFLDS.<sup>15</sup> While SpeakWithAnMD.com’s and AFLDS’s net profits are unknown, this likely represents only a fraction of their total revenues over the course of the pandemic—particularly

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<sup>9</sup> SpeakWithAnMD.com (online at <https://speakwithanmd.telemedplatform.co/signup>) (last accessed on Oct. 5, 2021).

<sup>10</sup> *Fringe Doctors’ Groups Promote Ivermectin for COVID Despite a Lack of Evidence*, Scientific American (Sept. 29, 2021) (online at [www.scientificamerican.com/article/fringe-doctors-groups-promote-ivermectin-for-covid-despite-a-lack-of-evidence/](http://www.scientificamerican.com/article/fringe-doctors-groups-promote-ivermectin-for-covid-despite-a-lack-of-evidence/)); *How ‘America’s Frontline Doctors’ Sold Access to Bogus COVID-19 Treatments—and Left Patients in the Lurch*, Time (Aug. 26, 2021) (online at <https://time.com/6092368/americas-frontline-doctors-covid-19-misinformation/>).

<sup>11</sup> *Social Media Giants Remove Viral Video with False Coronavirus Claims that Trump Retweeted*, CNN (July 28, 2020) (online at [www.cnn.com/2020/07/28/tech/facebook-youtube-coronavirus/index.html](http://www.cnn.com/2020/07/28/tech/facebook-youtube-coronavirus/index.html)); *How a Group with Right-Wing Ties Duped Tens of Thousands of Americans into Buying COVID-19 Drugs that Don’t Work*, Business Insider (Sept. 30, 2021) (online at [www.businessinsider.com/americas-frontline-doctors-sells-disproven-covid-drugs-2021-9](http://www.businessinsider.com/americas-frontline-doctors-sells-disproven-covid-drugs-2021-9)).

<sup>12</sup> See, e.g., SpeakWithAnMD.com (@speakwithanmd), Twitter (Oct. 5, 2020) (online at <https://twitter.com/speakwithanmd/status/1313174023241527296>); SpeakWithAnMD.com (@speakwithanmd), Twitter (Sept. 9, 2020) (online at <https://twitter.com/speakwithanmd/status/1303813970181070848>).

<sup>13</sup> *Will ‘Dr. Disinformation’ Ever Face the Music?*, Kaiser Health News (Sept. 22, 2021) (online at <https://khn.org/news/article/disinformation-dozen-doctors-covid-misinformation-social-media/>).

<sup>14</sup> *How ‘America’s Frontline Doctors’ Sold Access to Bogus COVID-19 Treatments—and Left Patients in the Lurch*, Time (Aug. 26, 2021) (online at <https://time.com/6092368/americas-frontline-doctors-covid-19-misinformation/>).

<sup>15</sup> *Id.: Far-Right Health Care Companies Made Millions Prescribing Unproven Covid Remedies*, The Intercept (Oct. 13, 2021) (online at <https://theintercept.com/2021/10/13/intercepted-podcast-covid-ivermectin-profits/>).

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given that SpeakWithAnMD.com started to promote its willingness to prescribe hydroxychloroquine for coronavirus as early as July 9, 2020.<sup>16</sup>

I am concerned that AFLDS and SpeakWithAnMD.com are spreading misinformation about the coronavirus and profiting off the promotion of questionable treatments to the detriment of the American public. The promotion of falsehoods about coronavirus, questionable treatments, and vaccines is life-threatening. I believe these deceptive practices may also violate the FTC Act, the COVID-19 Consumer Protection Act, or other relevant laws.<sup>17</sup> For these reasons, I urge FTC to open an investigation into these matters and appropriately exercise its enforcement authority.

Thank you for your assistance in this matter. If you have any questions, please contact Select Subcommittee staff at (202) 225-4400.

Sincerely,



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James E. Clyburn  
Chairman

cc: The Honorable Steve Scalise, Ranking Member

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<sup>16</sup> See SpeakWithAnMD.com (@speakwithanmd), Twitter (July. 9, 2020) (online at <https://twitter.com/speakwithanmd/status/1281338672995020803>) (“Our Dr’s will consider prescribing Hydroxychloroquine and any other non controlled medicines you may need.”); see also Gary Ritter, *How to Legally Obtain Hydroxychloroquine (HCQ)* (online at <https://web.archive.org/web/20200927224547/https://garyritter.com/how-to-legally-obtain-hydroxychloroquine-hcq/>) (accessed Oct. 19, 2021) (suggesting that AFLDS started referring patients to SpeakWithAnMD.com by August 2020).

<sup>17</sup> See, e.g., 15 U.S.C. § 41 *et seq.* (providing that it is unlawful to advertise that a product can prevent, treat, or cure human disease unless in the possession of competent and reliable scientific evidence substantiating that the claims are true at the time they are made); Pub. L. No. 116-260, Title XIV, § 1401(b)(1) (providing that it is unlawful to engage in a deceptive act or practice in or affecting commerce associated with the treatment, cure, or prevention of the coronavirus).