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OCTOBER IS HEALTH LITERACY MONTH

Health literacy is the ability to access, understand, and advocate for health information and services to maintain or enhance you own health and the health of others. Another aspect of health literacy is staying abreast of the types of health-related scams and frauds that are currently targeting consumers. Regardless of the form of fraud, there are certain things that consumers can do to avoid becoming a victim. The Federal Trade Commission (FTC) offers the following tips to help you stay a step ahead of the scammers.

1. **Spot imposters.** Scammers often pretend to be someone you trust, like a government official, a family member, a healthcare provider, or a company you do business with. Don't send money or give out personal information in response to an unexpected request – whether it comes as a text, a phone call, an email, or a letter.
2. **Do online searches.** Type a company or product name into your favorite search engine with words like "review," "complaint" or "scam." Or search for a phrase that describes your situation, like "Medicare call." You can even search for phone numbers to see if other people have reported them as scams.
3. **Don't believe your caller ID.** Technology makes it easy for scammers to fake caller ID information, so the name and number you see aren't always real. If someone calls asking for money or personal information, hang up. If you think the caller might be telling the truth, call back to a number you know is genuine.
4. **Don't pay upfront for a promise.** Someone might ask you to pay in advance for things like products or services. If you do, they may take the money and disappear.

5. **Consider how you pay.** Credit cards have significant fraud protection built in, but some payment methods don't. Wiring money through services like Western Union or MoneyGram is risky because it's nearly impossible to get your money back. The same is true for reloadable cards and gift cards. Government offices and honest companies won't require you to use these payment methods.
 6. **Talk to someone.** Before you give up your money or personal information, talk to someone you trust. Con artists want you to make decisions in a hurry. They might even threaten you. Slow down, check out the story, do an online search, consult an expert – or just tell a friend.
 7. **Hang up on robocalls.** If you answer the phone and hear a recorded sales pitch, hang up and report it to the FTC. These calls are illegal, and often the products are bogus. Don't press 1 to speak to a person or to be taken off a list. That could lead to more calls.
 8. **Be skeptical about free trial offers.** Some companies use free trials to sign you up for products and bill you every month until you cancel. Before you agree to a free trial, research the company and read the cancellation policy. And always review your monthly statements for charges you don't recognize.
 9. **Don't deposit a check and wire money back.** By law, banks must make funds from deposited checks available within days but uncovering a fake check can take weeks. If a check you deposit turns out to be a fake, you are responsible for repaying the bank.
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WARNING ABOUT GENETIC TESTING FRAUD

Genetic testing fraud happens when Medicare is billed for a genetic test ordered by someone other than your primary care physician that is not medically necessary.

Be on the lookout for fraudsters who reach out to you and offer "free" screenings or cheek swabs for genetic testing. These scam artists are targeting Medicare beneficiaries through telemarketing calls, booths at public events like health fairs, and door-to-door visits. Once they swab you, they also get your Medicare information for the purposes of identity theft and fraudulent billing.

If Medicare denies the claim, the Medicare beneficiary can be held responsible for the entire cost of the test, potentially costing you thousands of dollars!

Keep Yourself Protected

If you receive a genetic testing in the mail, DO NOT ACCEPT IT. If it is left on your doorstep, send it back. Take a picture of the mailing addresses. Remember to keep a record of returning it to the sender.

Remember, sooner or later there will always be a cost for "free" services. Question anyone who offers you "free" genetic testing and then requests your Medicare number. Identity theft is often difficult to unravel, so be vigilant.

Medicare beneficiaries should always be suspicious of requests for their Medicare numbers, especially from persons and physicians that they don't have an established relationship with.

If you suspect that this has happened to you, contact the department's consumer protection and information hotline by calling 1-800-HELP-FLA (435-7352) or, for Spanish speakers, 1-800-FL-AYUDA (352-9832) or visit us online at www.FloridaConsumerHelp.com.

CONSIDERING STEM CELL TREATMENTS?

The Food and Drug Administration (FDA) is warning consumers to get all the facts before considering stem cell treatments. Stem cells are the cells that develop into bones, blood, brains and all of the body's organs. Stem cell therapies have the potential to treat diseases that currently have few treatment options. Unfortunately, some unscrupulous clinics offer stem cell treatments promising miracle cures that are both unproven and unapproved by the FDA.

The FDA is increasing its enforcement to protect consumers from dishonest stem cell clinics, while continuing to encourage reputable research to harness the lifesaving potential of these cells. As of today, the only stem cell products approved for use in the United States are blood-forming stem cells.

To do your part to stay safe, make sure that any stem cell treatment you are considering is either:

- FDA-approved, or;
- Being studied under an Investigational New Drug Application (IND), which is a clinical investigation plan submitted and allowed to proceed by the FDA.

The FDA shared the following advice if you're considering stem cell treatment in the United States:

- **Ask if the FDA has reviewed the treatment.** Ask your health care provider to confirm this information. You also can ask the clinical investigator to give you the FDA-issued

Investigational New Drug Application (IND) number and the chance to review the FDA communication acknowledging the IND. Ask for this information before getting treatment—even if the stem cells are your own.

- **Request the facts and ask questions if you don't understand.** To participate in a clinical trial that requires an IND application, you must sign a consent form that explains the experimental procedure. The consent form also identifies the Institutional Review Board (IRB) that assures the protection of the rights and welfare of human subjects. Make sure you understand the entire process and known risks before you sign. You also can ask the study sponsor for the clinical investigator's brochure, which includes a short description of the product and information about its safety and effectiveness.

If you're considering stem cell treatment in another country:

- **Learn about regulations that cover products in that country.**
- **Know that the FDA does not have oversight of treatments done in other countries.** The FDA typically has little information about foreign establishments or their stem cell products.
- **Be cautious.** If you're considering a stem cell-based product in a country that may not require regulatory review of clinical studies, it may be hard to know if the experimental treatment is reasonably safe.

To learn more visit: <https://www.fda.gov/consumers/consumer-updates/fda-warns-about-stem-cell-therapies>

CDC INVESTIGATES LUNG INJURIES RELATED TO VAPING

The Centers for Disease Control and Prevention (CDC), the U.S. Food and Drug Administration (FDA), state and local health departments, and other clinical and public health partners are investigating a multistate outbreak of lung injury associated with the use of electronic-cigarettes (e-cigarettes). There have been 805 cases of lung injury reported from 46 state and 1 U.S. territory. Twelve deaths have been confirmed in 10 states, including Florida.

All injured persons reported a history of e-cigarette product use. Health officials suspect the lung injury may be caused by a chemical exposure. Although no single product or substance has been linked to all lung injury cases, the latest findings from the investigation suggest products containing tetrahydrocannabinol (THC), the psychoactive chemical in marijuana, may play a role in the outbreak.

E-cigarettes, also called vapes, e-hookahs, vape pens, tank systems, mods, and electronic nicotine delivery systems (ENDS), work by heating a liquid to produce an aerosol that users inhale into their lungs. The liquid can contain: nicotine, THC, cannabinoid (CBD) oils, and other substances and additives.

While this investigation is ongoing, the CDC recommends the following:

- Consider refraining from using e-cigarette, or vaping, products, particularly those containing THC.
- If you are an adult who used e-cigarettes containing nicotine to quit cigarette smoking, do not return to smoking cigarettes.
- If you have recently used an e-cigarette or vaping product and you have symptoms such as shortness of breath, headache, dizziness, chest pain, fever, cough, vomiting and/or diarrhea, see a healthcare provider.

Regardless of the ongoing investigation:

- Anyone who uses an e-cigarette or vaping product should not buy these products (e.g., e-cigarette or vaping products with THC or CBD oils) off the street and should not modify or add any substances that are not intended by the manufacturer.
- Youth and young adults should not use e-cigarette or vaping products.
- Women who are pregnant should not use e-cigarette or vaping products.
- Adults who do not currently use tobacco products should not start using e-cigarette or vaping products.

FDA, FTC TAKE ACTION TO PROTECT YOUNG CONSUMERS

The U.S. Food and Drug Administration (FDA) and the Federal Trade Commission (FTC) have issued warning letters to four firms that sell flavored e-liquid products for violations related to online posts by social media influencers on each company's behalf. The warning letters are just one aspect of the FDA's Youth Tobacco Prevention Plan designed to limit youth access to all tobacco products, with a particular focus on youth e-cigarette use.

Social media influencers are individuals with a large number of online followers that often help to promote products on behalf of certain brands or companies. Through social media sites such as Facebook, Instagram and Twitter, influencers on behalf of Solace Vapor, Hype City Vapors LLC,

Humble Juice Co. LLC and Artist Liquid Labs posted content touting the flavored e-liquid products or recommending their social media followers try the products without including the required nicotine warning statement.

The FDA has determined that the e-liquid products labeled and/or advertised on behalf of the companies in these social media posts are misbranded because they fail to include the statement, "WARNING: This product contains nicotine. Nicotine is an addictive chemical," a requirement that the FDA has enforced since August 10, 2018. The FTC joined the FDA on the warning letters under Section 5 of the Federal Trade Commission Act, which prohibits unfair or deceptive advertising.

More than 3.6 million middle and high school students across the country were current e-cigarette users in 2018, according to the National Youth Tobacco Survey conducted by the FDA and the U.S. Centers for Disease Control and Prevention. This is a dramatic increase of 1.5 million students from the previous year. The data also showed that youth who used e-cigarettes also were using them more frequently, and they were using flavored e-cigarette products more often.

The increased popularity of e-cigarettes among youth raises a number of other health concerns: risk of addiction to nicotine early on in life; potential harm from nicotine exposure to the developing adolescent brain; and exposure to chemicals associated with adverse health effects. In addition, research shows that, compared with non-users, youth who use e-cigarettes are more likely to transition to conventional cigarettes – risking a lifetime of addiction to smoking and smoking-attributable diseases.

To address this growing use among kids, over the past year the FDA has taken enforcement actions to combat the illegal sales of e-cigarettes to youth, and other actions to target kid-friendly marketing that increases the appeal of these products to youth.

From April 2018 through April 2019, the FDA issued more than 3,950 warning letters and more than 665 civil money penalties (fines) to brick-and-mortar and online retailers for illegal sales of electronic nicotine delivery system (ENDS) and e-liquid products to minors. The FDA also took actions – many in conjunction with FTC – against more than 15 firms for selling e-liquids that resemble kid-friendly foods, such as juice boxes, cereal and candy; and the FDA continues to investigate whether companies are introducing new e-cigarettes in violation of premarket authorization requirements.

Last year, the FDA also launched "The Real Cost" Youth E-Cigarette Prevention Campaign – a comprehensive effort targeting nearly 10.7 million youth, aged 12-17, who have used e-cigarettes or are open to trying them. The campaign features hard-hitting advertising on digital and social media sites popular among teens, as well as posters with e-cigarette prevention messages in high schools across the nation. The FDA also joined forces with Scholastic to expand distribution of youth e-cigarette prevention posters to every public and private high school in the U.S. and released new resources for doctors, youth groups, churches, state and local public health agencies, and others on the dangers of youth e-cigarette use.

The FDA has also undertaken efforts to further the discussion and understanding around how we can help aid those kids who are already addicted to the nicotine in e-cigarettes to quit. For more information, visit www.FDA.gov or www.Consumer.FTC.gov and search for the term "e-cigarettes."

[Click to View Food Recalls](#)

The Division of Food Safety monitors food from the point of manufacturing and distribution through wholesale and retail sales to ensure the public of safe, wholesome and properly represented food products.

[Click to View Consumer Product Recalls](#)

The Consumer Product Safety Commission provides consumer product recall information as part of the agency's mission to protect consumers and families from hazardous products.

The Florida Department of Agriculture and Consumer Services is the state's clearinghouse for consumer complaints, protection, and information. Consumers who believe fraud has taken place can contact the department's consumer protection and information hotline by calling 1-800-HELP-FLA (435-7352) or, for Spanish speakers, 1-800-FL-AYUDA (352-9832) or visit us online at FloridaConsumerHelp.com.

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Florida Department of Agriculture and Consumer Services
Nicole "Nikki" Fried, Commissioner

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