Silicone gel filled breast implants – the next stage

Plastic surgeons were surprised recently to hear that a settlement of 4.75 billion dollars had been proposed in the silicone gel filled breast implant issue. How could this be, when the Food and Drug Administration has been advising women that there is no urgent need for them to have their implants removed for medical reasons (except for implant rupture), and at a time when much of the information about these implants has been positive? It appears that the settlement may be a sound business decision. It proposes to award settlements to patients who can prove on accepted medical grounds that they have immune related diseases, collagen diseases, or any of a large variety of neurological disorders, whether or not these conditions can be proved to be caused by the implants. In doing so, the companies involved are showing themselves to be magnanimous, fair and interested in helping patients, even though future science may show that patients' diseases were not actually caused by the implants. They are also of course getting out of the silicone gel implant business, at least in the United States and Canada.

Why did Dow Corning make a unilateral decision without advising their own lawyers, let alone plastic surgeons and the insurance community, of their impending action? If this was a business tactic, what was its purpose?

The settlement offers to compensate for disease and implant removal. Only 3% of this award is earmarked for patients outside the United States, and the reason seems to be that other countries have government medical plans that pay for implant removal, whereas the United States does not. I assume that Canadian health plans will collect from this fund and that the rest will be for patient compensation. Some provinces are considering allowing class action suits solely on the basis of this issue.

And so we await the next stage of this fascinating saga.

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The Editor