

SB18 – 080 - Wholesale Canadian Drug Importation Program

Sponsors: Sen. I. Aguilar, Sen. S. Lontine

SENATE STATE, VETERANS, & MILITARY AFFAIRS COMMITTEE

January 31, 2018

Dear Senator Marble and Members of the Senate State, Veterans, & Military Affairs Committee:

The Colorado Bioscience Association (CBSA) is a nonprofit organization providing services and support for Colorado's bioscience industry. Today, Colorado is home to over 720 bioscience companies and over 30,000 employees within the biotechnology, medical device, diagnostic, digital health, agricultural-bio, and pharmaceutical industries. We work every day to create an innovation-friendly business environment ensuring that as an industry we deliver value to patients and our state's economy while also creating next generation treatments and cures.

On behalf of our members, CBSA opposes SB18-080, which would require the Colorado Department of Health Care Policy and Financing to design a program to import prescription pharmaceuticals from Canada for sale to Colorado consumers. The program outlined in SB18-080 would threaten patient safety, impact innovation, and should be regulated federally.

Innovation is key to the growth of our industry. Studies have found that importation would have a negative impact on the biopharmaceutical innovation, creating fewer investments in R&D which ultimately impacts the consumer and does not result in an overall cost savings.¹ Establishing an importation program of prescription drugs from Canada could expose patients to counterfeit, altered or unapproved drugs that lack oversight by any health authority. We know that under importation, there is no guarantee that patients and consumers will be kept safe from counterfeit drugs. We believe that safety to our patients is critical and this bill would ultimately compromise patient safety and have a negative impact on innovation.

Furthermore, importation has been addressed at a federal level, through the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (MMA). The MMA would allow pharmacists and wholesalers to import certain drugs (not including controlled substances or biological products) from Canada to the United States **only when the Secretary of Health and Human Services (HHS) certifies to Congress that such importation will pose no additional risk** to public health and safety and will result in significant cost-savings to American consumers.

Neither HHS Secretary Thompson nor HHS Secretary Shalala were able to make the required certification. Both Administrations stated they could not assure the safety of imported products, even with "safeguards" built into the legislation. We believe importation should remain a federal issue and it is important we do not create a patchwork of policy state by state.

We urge you to vote to oppose SB18- 080. If you have any questions, please feel free to contact Jennifer Jones, vice president for CBSA, at 303-592-4072 or jjones@cobioscience.com. Thank you for your leadership and service to our state and the CO bioscience industry.

Sincerely



April Giles, President & CEO
Colorado BioScience Association

¹ <https://www.bio.org/articles/fact-sheet-drug-importation>