General Law Committee

JOINT FAVORABLE REPORT

Bill No.: SB-48
Title: AN ACT REQUIRING MANUFACTURERS OF BRAND NAME PRESCRIPTION DRUGS TO PROVIDE SAMPLES OF SUCH DRUGS TO MANUFACTURERS OF GENERIC PRESCRIPTION DRUGS.
Vote Date: 3/21/2019
Vote Action: Joint Favorable
PH Date: 2/19/2019
File No.: 438

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SPONSORS OF BILL:
General Law

REASONS FOR BILL:

This bill would be similar to Maine’s LD1280, which was passed last year. This bill requires brand name pharmaceutical manufacturers that are present in the state comply with federal law and make available at a fair market price, samples of their drugs to generic manufacturers. The companies who make generic drugs are often denied access to such drug samples; this delays the generic drug being introduced to the public. This would be another step towards making prescription drugs affordable.

RESPONSE FROM ADMINISTRATION/AGENCY:

None Expressed

NATURE AND SOURCES OF SUPPORT:

Martin J. Looney, Senator, President ProTempore, State of Connecticut, Connecticut General Assembly
Senator Looney is in support of this bill due to the fact it would be one more step towards affordable prescription drugs. Often generic drug companies are denied access to samples by the name brand drug manufacturers in order to delay generic drug choices into the market.

America’s Health Insurance Plans
AHIP favors this bill as this would assist Connecticut’s efforts to manage and stabilize drug costs for consumers in the state, which are increasing at an unsustainable rate. The cost of prescription drugs is threatening the long-term increase sustainability of treatment and patient access. Health plans are committed to drug prices for everyone. No one should have to choose between paying for their daily needs or their medication.

NATURE AND SOURCES OF OPPOSITION:

Pharmaceutical Research and Manufacturers of America
This bill seeks to mandate manufacturers of branded medicines provide its products to other drug or biologic manufacturers; this is better addressed at a federal level. The FDA has taken steps to avert the need for SB48. State action in this area would likely create preemption issues.

Angela Gochenaur, Eastern Director of State Government Affairs, Biotechnology Innovation Organization
SB 48 could “run afoul of federal law”. There is also a mixed message being sent from a state that is trying to attract and maintain a life-science community. BIO opposes this this bill because of legal complications that would be posed to biopharmaceutical innovators. The FDA administers the distribution and handling of produce samples under the federal Prescription Drug Marketing Act. Once language is released BIO would like to continue dialogue with the Committee and CGA.

Reported by: Bonnie Gray, Asst. Clerk Date: 03/27/2019