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1 SENATE JOINT MEMORIAL 8

2 47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005

3 INTRODUCED BY

4 Dede Feldman

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8 FOR THE LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE

9
10 A JOINT MEMORIAL

11 REQUESTING AN INVESTIGATION OF THE FEASIBILITY, LEGALITY AND
12 SAFETY OF IMPORTING PRESCRIPTION DRUGS FROM CANADA AND MEXICO.

13
14 WHEREAS, in recent years growth in prescription drug
15 spending has outpaced that of every other category of health
16 expenditures; and

17 WHEREAS, spending on prescription drugs grew at an
18 inflation-adjusted average annual rate of fourteen and one-half
19 percent from 1997 to 2002, reaching one hundred sixty-two
20 billion dollars (\$162,000,000,000) in 2002; and

21 WHEREAS, the rapid growth of prescription drug
22 expenditures is prompting consumers and policymakers to look
23 for new ways to control drug spending; and

24 WHEREAS, drug pricing in Canada and Mexico is usually
25 significantly lower than pricing for the same drugs in the

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1 United States; and

2 WHEREAS, in July 2003 the United States house of
3 representatives passed a resolution that would have permitted
4 pharmacists, wholesalers and individuals to import prescription
5 drugs from twenty-five industrialized countries; and

6 WHEREAS, the federal Medicare Prescription Drug,
7 Improvement and Modernization Act of 2003 contains a provision
8 permitting importation of drugs from Canada contingent upon
9 certification of safety and the prospect for significant cost
10 savings; and

11 WHEREAS, several states, including Illinois, New
12 Hampshire, Wisconsin and West Virginia as well as the District
13 of Columbia have taken steps toward importing prescription
14 drugs from Canada and in all, twenty-four states have
15 considered such measures; and

16 WHEREAS, the cost of prescription drugs constitutes one of
17 the highest priced components of increased medicaid costs; and

18 WHEREAS, importation of prescription drugs would likely
19 reduce pharmaceutical expenses in the medicaid program; and

20 WHEREAS, in New Mexico, many senior citizens and others
21 routinely cross the border to obtain prescription drugs in
22 Mexico and bring them back into this country for their own
23 personal use; and

24 WHEREAS, there is some uncertainty about the safety,
25 legality and feasibility of large-scale importation of drugs

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1 from Canada or Mexico;

2 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
3 STATE OF NEW MEXICO that the aging and long-term services
4 department, in cooperation with the office of the attorney
5 general and the board of pharmacy, be requested to create a
6 task force to study the feasibility, legality and safety of
7 importing prescription drugs from Canada and Mexico; and

8 BE IT FURTHER RESOLVED that the task force include
9 representation from senior citizen and other consumer advocacy
10 groups; and

11 BE IT FURTHER RESOLVED that the study consider the actions
12 and effectiveness of other states that are engaging in or
13 considering various methods of importing drugs from Canada or
14 Mexico; and

15 BE IT FURTHER RESOLVED that the findings and
16 recommendations of this study be reported to the legislative
17 health and human services committee at its October 2005
18 meeting; and

19 BE IT FURTHER RESOLVED that copies of this memorial be
20 transmitted to the secretary of aging and long-term services,
21 the New Mexico attorney general and the board of pharmacy.