

AMERICAN MEDICAL ASSOCIATION HOUSE OF DELEGATES

Resolution: 129
(A-19)

Introduced by: Texas

Subject: The Benefits of Importation of International Pharmaceutical Medications

Referred to: Reference Committee A
(John Montgomery, MD, Chair)

- 1 Whereas, The cost of basic prescription drugs in the United States is among the highest in the
2 world due to market exclusivity and a lack of payer negotiating power; and
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4 Whereas, These prescription drug prices impose a substantial financial burden on consumers
5 and represent a significant cause of nonadherence, resulting in worsened health outcomes; and
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7 Whereas, There is bipartisan support for prescription drug importation programs; and
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9 Whereas, Several states are considering passing legislation or already have legislation that
10 allows for wholesale importation or purchasing of prescription drugs; and
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12 Whereas, State legislation allowing for wholesale importation of prescription drugs could save
13 money for both private sector and state-funded insurance programs; and
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15 Whereas, Patients from Arizona, New Mexico, California, Texas, and other states already are
16 obtaining their prescription drugs from pharmacies in Mexico and other countries; and
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18 Whereas, A 2015 study by the United States International Trade Commission estimates that
19 close to 1 million people in California alone cross to Mexico annually for health care, including to
20 buy prescription drugs;ⁱ and
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22 Whereas, In 1995 the U.S. Food and Drug Administration, the Subsecretaría de Regulación y
23 Fomento Sanitario of the Secretaría de Salud of the United Mexican States, and the Health
24 Protection Branch of Health Canada signed a memorandum of cooperation that includes
25 working to strengthen existing mutual cooperation in the scientific and regulatory areas of
26 regulated products including drugs and biologics;ⁱⁱ and
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28 Whereas, The increasing illegal importation of drugs from Mexico could be controlled by a legal
29 process that would protect the health and well-being of patients; and
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31 Whereas, Our American Medical Association's existing drug importation policy D-100.983
32 focuses solely on importation of prescription drugs from Canada; therefore be it
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34 RESOLVED, That our American Medical Association study the implications of prescription drug
35 importation for personal use and wholesale prescription drug purchase across our southern and
36 northern borders. (Directive to Take Action)

Fiscal Note: Not yet determined
Received: 05/24/19

RELEVANT AMA POLICY

Prescription Drug Importation and Patient Safety D-100.983

Our AMA will:

- (1) support the legalized importation of prescription drug products by wholesalers and pharmacies only if:
 - (a) all drug products are Food and Drug Administration (FDA)-approved and meet all other FDA regulatory requirements, pursuant to United States laws and regulations; (b) the drug distribution chain is "closed," and all drug products are subject to reliable, "electronic" track and trace technology; and (c) the Congress grants necessary additional authority and resources to the FDA to ensure the authenticity and integrity of prescription drugs that are imported;
- (2) oppose personal importation of prescription drugs via the Internet until patient safety can be assured;
- (3) review the recommendations of the forthcoming report of the Department of Health and Human Services (HHS) Task Force on Drug Importation and, as appropriate, revise its position on whether or how patient safety can be assured under legalized drug importation;
- (4) educate its members regarding the risks and benefits associated with drug importation and reimportation efforts;
- (5) support the in-person purchase and importation of Health Canada-approved prescription drugs obtained directly from a licensed Canadian pharmacy when product integrity can be assured, provided such drugs are for personal use and of a limited quantity; and
- (6) advocate for an increase in funding for the US Food and Drug Administration to administer and enforce a program that allows the in-person purchase and importation of prescription drugs from Canada, if the integrity of prescription drug products imported for personal use can be assured.

Citation: BOT Rep. 3, I-04; Reaffirmation A-09; Reaffirmed in lieu of: Res. 817, I-16; Appended: CMS Rep. 01, I-18

Pharmaceutical Quality Control for Foreign Medications D-100.977

Our AMA will call upon Congress to provide the US Food and Drug Administration with the necessary authority and resources to ensure that imported drugs are safe for American consumers and patients.

Citation: Res. 508, A-08;A-16;A-16

ⁱ USITC. Trends In U.S. Health Travel Services Trade. August 2015.

www.usitc.gov/publications/332/executive_briefings/chambers_health-related_travel_final.pdf

ⁱⁱ FDA. Mexico and Canada, cooperation in the Scientific and Regulatory Fields of Health. Oct. 30, 1995. www.fda.gov/international-programs/cooperative-arrangements/fda-mexico-and-canada-cooperation-scientific-and-regulatory-fields-health