

**R023-0405**

10     **A RESOLUTION CONCERNING A BAN OF**  
20     **DIRECT-TO-CUSTOMER PRESCRIPTION DRUG ADVERTISEMENTS**

30     **WHEREAS:**     In 1985, the Food and Drug Administration (FDA) lifted a ban on Direct-to-  
40                     Customer (DTC) Prescription Drug Advertising opening the gate for  
50                     pharmaceutical marketers to do DTC prescription drug advertising on television  
60                     and the radio; and,

70     **WHEREAS:**     The issues surrounding DTC prescription drug advertising involve questions of  
80                     public health, corporate responsibility, advertising ethics, the consumers' ability  
90                     to understand complicated medical information, and the nature of consumer  
100                    responses to those advertisements; and,

110    **WHEREAS:**     DTC advertising unnecessarily increases the demand for advertised drugs, is  
120                     inappropriate because patients are not in a position to diagnose conditions or  
130                     judge the relative safety, effectiveness and appropriateness of alternative  
140                     treatments, and in particular, healthcare professionals have raised concerns that  
150                     DTC prescription drug advertising will undermine the physician-patient  
160                     relationship if patients pressure physicians into prescribing advertised drug  
170                     brands; and,

180    **WHEREAS:**     DTC advertising can lead to prescription drug misuse and abuse; and,

190    **WHEREAS:**     In 2001 and 2003 the American Medical Association sought to ban prescription  
200                     drug ads from television, newspapers and magazines, a proposal many doctors  
210                     say is needed to keep patients from being misinformed; and,

220    **WHEREAS:**     DTC advertising can undermine doctors' credibility, especially if a physician  
230                     thinks an advertised drug isn't the best choice for a patient who demands it; and,

240    **WHEREAS:**     DTC by its very nature is biased and compressed, and driven more by drug  
250                     companies' financial concerns than by concern for the patients' best interest; and,

260    **WHEREAS:**     Under a total ban, the FDA will need minimal financial and human resources for  
270                     monitoring broadcast media advertising thus much needed resources could be  
280                     redirected to other areas, such as drug research and development; and,

290    **THEREFORE BE IT RESOLVED:**     That the Maryland Student Legislature urges  
300                     Congress to pass legislation banning all forms of Direct-to-Customer advertising  
310                     for prescription drugs; and,

320    **BE IT FURTHER RESOLVED:**     That the Maryland Student Legislature urges President Bush  
330                     to signal his support for an outright and total ban of all DTC advertising for  
340                     prescription drugs as to garner the necessary support to get its passage through  
350                     Congress; and,

360    **BE IT FURTHER RESOLVED:**     Once legislation has passed Congress, banning DTC  
370                     advertising for prescription drugs, the Maryland Student Legislature urges  
380                     President Bush to sign the legislation.

390    **MANDATES:**     President George W. Bush  
400                     Majority Leader Bill Frist  
410                     Minority Leader Harry Reid  
420                     Speaker of the House Dennis Hastert

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Majority Leader Tom DeLay  
Minority Leader Nancy Pelosi

**SPONSOR:**

Brian Bailey, Political Liaison, University of Maryland, Baltimore County

**COSPONSORS:**

Adelsia Miles Braxton, Federalist Caucus Leader, Anne Arundel Community College  
Rachel McMullan, Federalist Whip, University of Maryland, Baltimore County  
Alex Euzent, Anne Arundel Community College  
Craig Reynolds, Anne Arundel Community College