

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
430 Majority Leader Tom DeLay
440 Minority Leader Nancy Pelosi

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