Legislation Details (With Text)

File #:	Res 0436-2002	**Version:**	*	**Name:**	Greater Access to Affordable Pharmaceuticals Act.
Type:	Resolution			**Status:**	Filed
				In control:	Committee on Health
On agenda:	8/15/2002				
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Title: Resolution calling upon the United States Congress to pass the "Greater Access to Affordable Pharmaceuticals Act."

Sponsors:

Indexes:

Attachments:

Date	Ver.	Action By	Action	Result
8/15/2002	*	City Council	Introduced by Council	
8/15/2002	*	City Council	Referred to Comm by Council	
12/31/2003	*	City Council	Filed (End of Session)	

Res. No. 436

Resolution calling upon the United States Congress to pass the "Greater Access to Affordable Pharmaceuticals Act."

By Council Members The Speaker (Council Member Miller) and Council Members Baez, Barron, Comrie, Felder, Jackson, Katz, Koppell, Lopez, Martinez, Monserrate, Nelson and Rivera; also Council Members Reed

Whereas, Costs for prescription drugs in the United States continue to escalate significantly faster than other health care costs; and

Whereas, A key factor in rising pharmaceutical costs is limited competition between brand name and generic pharmaceutical companies; and

Whereas, Upon patent expiration, many brand name drug companies aggressively seek to extend their patent protection, and are even permitted by law to file a new patent for minor changes in their products, for example, a change of color; and

Whereas, Current law facilitates a lack of competition by giving an automatic thirty-month stay of Federal Drug Administration (FDA) approval of a generic drug company's patent challenge; and

Whereas, Under the "Greater Access to Affordable Pharmaceuticals Act," a court's preliminary injunction would be necessary to stay FDA approval of the generic equivalent of a brand name drug; and

Whereas, Because of the obstacles generic drug companies confront in bringing their products to the marketplace, competition from generic brands-which would decrease pharmaceutical drug prices-is often delayed for years; and

Whereas, The "Greater Access to Affordable Pharmaceuticals Act," S. 812 in the United States Senate and H.R. 1862 in the United States House of Representatives, would facilitate federal approval of generic drugs by giving greater scrutiny to brand name drug company patent filings and by accelerating the approval process for generic drug company applications; and

Whereas, The sponsors of the bill in the United States Senate are Senators Charles Schumer (D-NY) and John McCain (R-AZ), and its sponsors in the United States House of Representatives are Representatives Sherrod Brown (D-OH) and Jo Ann Emerson (R-MO); and

Whereas, The Congressional Budget Office estimates that greater access to generic drugs could save consumers-many of whom are senior citizens-between eight and ten billion dollars annually; and

Whereas, In addition, with the passage of this bill, Medicaid and State cost-sharing programs such as New York State's Elderly Pharmaceutical Insurance Coverage (EPIC) would pay less money for prescription drugs; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the United States Congress to pass the "Greater Access to Affordable Pharmaceuticals Act."

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