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State is first to pass drug import bill

MONTPELIER — The General Assembly on Wednesday all but ensured that it will become the first Legislature in the country to compel its governor to join a prescription drug importation program.

The House, by an overwhelming 129-8 margin, passed a bill that requires the Douglas administration to join a multi-state program that allows people to import American-made prescription drugs from pharmacies in Canada, the United Kingdom and other European countries by May 1.

The vote — which came after more than a handful of defeated Republican-sponsored amendments over the last two days — now puts both of the Legislature's chambers on record as approving drug reimportation.

Gov. James Douglas, who more than a year ago signaled his philosophical agreement with drug reimportation, is expected to sign the measure once Senate and House negotiators work out minor differences.

Even though he has said he supports allowing Vermonters to buy pharmaceuticals from foreign makers, he has steadfastly refused to follow his colleagues in a handful of states that have established such programs without a legislative imprimatur.

"The governor is expected to sign the bill," said his chief spokesman, Jason Gibbs. "He has been a supporter of reimportation, but he also recognizes that much more meaningful reform still needs to be enacted."

The criticism has not been lost on Democratic lawmakers, who have made a drug reimportation law a beginning-of-session priority. They have argued that they wouldn't have had to spend the last month hashing out a reimportation scheme if the governor had just decided to act on his own.

The reimportation plan approved by both chambers would allow Vermont to join Illinois' buying pool, called I-SaveRx. Although nearly 100,000 Vermonters lack sufficient prescription drug coverage and would theoretically benefit from the 30- to 60-percent savings on a select group of brand name drugs, the number of people who would actually participate in the program is considered to be in the hundreds.

"Prescription drugs cost too much in the United States," said Rep. Steven Maier, D-Middlebury. "Many Vermonters cannot afford their drugs. These Vermonters are forced to pay the highest prices in the world for their drugs."

The issue of drug reimportation — which is vehemently opposed by the pharmaceutical industry and the Bush administration — got its start in Vermont a half-decade ago when Rep. Bernard Sanders, I-Vt., began taking busloads of seniors to Quebec pharmacies.

The General Assembly's proposed law comes as momentum for a national reimportation scheme is gaining traction on Capitol Hill.

On Wednesday, Sen. James Jeffords, I-Vt., was a sponsor of a measure that would allow Americans to buy cheaper cost prescription drugs from Canada and other countries.

"We have come a long way," Jeffords said in a statement. "The best medicines in the world are available here in the United States, but the best medicines in the world will not help a person who cannot afford them."

In addition to reimportation, Vermont lawmakers have begun exploring other tools with which they can control the escalating costs of prescription drugs.

One of those potential tools is something called compulsory licensing, a technique akin to condemnation in which the state would force the maker of a brand-name drug to give its patent to a generic drug manufacturer.

Another area under exploration also includes how international trade agreements between the United States and its trading partners could hinder states' abilities to negotiate lower drug prices.

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