



S.9838 (Skoufis) / A.7954-A (Simon)

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<p>BILL</p> <p>S.9838 (Skoufis) / A.7954-A (Simon)</p>
<p>SUBJECT</p> <p>Creation of a Wholesale Prescription Drug Importation Program</p>
<p>DATE</p> <p>June 04, 2024</p>
<p>OPPOSE</p>

The Business Council strongly opposes S.9838 (Skoufis) / A.7954-A (Simon), which would create a wholesale prescription drug importation program for the importation of drugs from Canada. **Doing so would pose a major risk to the integrity and safety of New York’s prescription drug supply chain without significantly decreasing the overall cost of drugs for New Yorkers.**

In 2013 Congress enacted The Drug Supply Chain Security Act (DSCSA) – a system meant to track and identify each package of drugs and trace those packages as they are distributed throughout the country. This system protects both the quality and safety of the drugs and ensures that they are being utilized properly. The law puts much of the onus of public protection on the states.

This bill fails to acknowledge that Canadian law does not prohibit the transshipment of drugs from any country. Therefore, **this bill would allow drugs from many other countries that do not meet the criteria of federal law into New York, thus undermining the state’s responsibilities under the federal law and exposing New Yorkers to potentially dangerous drugs.** In fact, the Food and Drug Administration that 85% of drugs sold by Canadian pharmacies come from 27 countries other than Canada. Additionally, this bill relies on the assumption that Canadian authorities have the ability and resources to inspect drugs destined for the United States, and in this case, New York specifically. That is a risky assumption, and one that threatens the safety and integrity of our drug supply.

Further, this bill would mandate that the Department of Health and State Education Department undertake the massive project of putting together a system for importation. The creation of this bureaucracy would be a tremendous undertaking, one that would require the hiring of staff (duplicative to those on the federal level) and would cost an enormous amount of money. Any imagined savings from this policy would evaporate under the cost of starting and running the program.

The Business Council has worked with our members and partners in the private and public sectors for years to help eliminate the opioid crisis that has ravaged our state. Throughout the healthcare system and in the workers' compensation system we have seen significant improvement. The introduction of any program that would jeopardize this fight and make it harder to ensure the quality and safety of drugs imported to the state should absolutely not be considered.

This legislation will open our closed distribution system, providing opportunity for unscrupulous suppliers to infiltrate the system with unsafe, counterfeit, or sub-standard drugs, thus undermining the safety of the entire U.S. prescription drug supply and ignoring public health and consumer protections. It is for these important reasons that The Business Council strongly opposes S.9838 (Skoufis) / A.7954-A (Simon).