

COALITION FOR
Healthcare
Communication

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October 18, 2007

Council of the District of Columbia
Committee on Health
c/o Ms. Cynthia Brock-Smith, Secretary to the Council
1350 Pennsylvania Avenue, NW, Suite 5
Washington, DC 20004

Dear Council Members:

The Coalition for Healthcare Communication urges you to reject the communication provisions of the Safe Rx Act of 2007. The communications provisions clearly violate the First Amendment, and appear predicated on the notion that doctors and patients should not be allowed to learn about drug innovations from pharmaceutical companies. By passing this provision, the Council would put ignorance ahead of education in the practice of medicine.

The Coalition specifically objects to the provisions that interfere with the ability of pharmaceutical representatives to educate doctors without a license, the provisions that compel drug companies to pay for doctor education by others, and the provisions that would limit the use of prescriber data in the education of doctors. Each of these is predicated on the notion that the DC government should limit the education of doctors, and that the DC government knows more about what doctors should know to effectively and efficiently treat patients than do their doctors and other medical professionals. Moreover, the Council should recognize that doctors already are required by the District of Columbia to attend and receive credit for Continuing Medical Education (CME) activities.

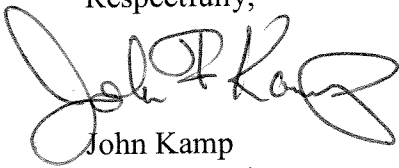
These provisions undermine the physician-patient relationship, and unconstitutionally limit the ability of doctors to decide for themselves what is important in the evolving practice of medicine.

Although all of these provisions are clearly a violation of the fundamental First Amendment rights of doctors and patients, the Council should specifically inform itself on the federal court decision in New Hampshire last year that struck the New Hampshire "Prescription Restraint Law" state law attempting to limit the use of prescriber data. These provisions in the Save Rx Act of 2007 will face the same fate in the courts if passed. Council members should not enact a measure that will almost certainly be challenged in court, creating unnecessary legal expenses for the citizens of the District of Columbia.

Founded in 1991, the Coalition for Healthcare Communication defends the rights of health professionals and consumers to receive truthful information regarding pharmaceuticals and medical products, as safeguarded by the First Amendment of the Constitution of the United States. The Coalition represents organizations dedicated to assuring the free exchange of scientific information without undue government interference.

The Coalition asks you to take a very close look at this bill and reject it. It not only violates the First Amendment, it would interfere with the good health of the citizens of the District of Columbia.

Respectfully,

A handwritten signature in black ink, appearing to read "John Kamp", written in a cursive style.

John Kamp
Executive Director
Coalition for Healthcare Communication