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SENATE JOINT MEMORIAL 23
45TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2002
INTRODUCED BY
Dede Feldman

FOR THE LEGISLATIVE HEALTH AND HUMAN SERVICES COMMITTEE AND
THE LEGISLATIVE HEALTH SUBCOMMITTEE

A JOINT MEMORIAL
REQUESTING THE STATE AGENCY ON AGING TO DEVELOP A VOLUNTARY
PROGRAM THAT WILL ALLOW FOR "BROWN BAG ASSESSMENTS" OF
INDIVIDUALS' PRESCRIPTION DRUGS AND NOTIFICATION OF
THERAPEUTIC ALTERNATIVES AND GENERIC SUBSTITUTES FOR DRUGS AT
THE POINT OF SALE.

WHEREAS, the cost of prescription drugs for many New
Mexico senior citizens is prohibitively high; and
WHEREAS, senior citizens often pay the highest prices for
prescription drugs since they lack access to negotiated
discounts and rebates; and
WHEREAS, the prices charged for prescription drugs do not
reveal previously negotiated discounts, rebates or other
factors that contribute to the actual price paid by seniors
who purchase drugs; and

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1 WHEREAS, there are clear and immediate health benefits to
2 an active partnership between a patient and his physician and
3 pharmacist for anyone taking prescription drugs; and

4 WHEREAS, in addition to health benefits, potential cost
5 savings may be achieved when this partnership is an active
6 one; and

7 WHEREAS, purchasers of prescription drugs have a right to
8 know, and to be reminded at the point of purchase, what
9 options or alternatives may exist that are therapeutically
10 appropriate and the price differential for these alternatives;
11 and

12 WHEREAS, current law in New Mexico provides for generic
13 substitution of prescription drugs and requires pharmacist
14 education of patients about the purpose and side effects of
15 prescription drugs, but does not require education about
16 therapeutic substitutions that could be safely and effectively
17 provided; and

18 WHEREAS, there are inadequate mechanisms to ensure
19 communication among patients, prescribing providers and
20 pharmacists; and

21 WHEREAS, annual review of the prescription drugs being
22 taken by a senior citizen will ensure that antagonistic drugs
23 are identified and that the most appropriate drug regime is
24 being pursued and will result in overall improved health
25 outcomes for senior citizens who participate;

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1 NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF THE
2 STATE OF NEW MEXICO that the state agency on aging be
3 requested to lead a cooperative effort, to include statewide
4 associations of medical providers and pharmacists, to develop
5 a voluntary program that will allow for "brown bag
6 assessments" of all prescription drugs used by individuals and
7 notification of therapeutic alternatives and generic
8 substitutes for drugs at the point of sale; and

9 BE IT FURTHER RESOLVED that the program explore
10 appropriate incentives to ensure full and active participation
11 by pharmacists, physicians and other prescribing health care
12 providers, including development of mechanisms to identify
13 participants in this program; and

14 BE IT FURTHER RESOLVED that the state agency on aging
15 report any legislative recommendations to the interim
16 legislative health and human services committee at its
17 September 2002 meeting; and

18 BE IT FURTHER RESOLVED that a copy of this memorial be
19 sent to the state agency on aging, the interim legislative
20 health and human services committee and to all appropriate
21 parties.