



PHARMACY
SOCIETY OF
WISCONSIN

*"Leading Our Profession
in a Changing
Health Care Environment"*

Date: April 7, 2010
To: CEO's of Sponsoring Organizations of the *People for Affordable Prescription Drugs*
From: Chris Decker
Executive Vice President & CEO
Pharmacy Society of Wisconsin
Re: AB 482

The purpose of this letter is to express my concern about the inaccuracy of a newspaper advertisement sponsored by the "People for Affordable Prescription Drugs," which your organization is a member.

Yesterday the Wisconsin Senate Committee on Public Health, Senior Issues, Long-Term Care and Job Creation voted to reject Assembly Bill 482 (which would exempt prescription drugs from Wisconsin's Unfair Sales Act). Prior to the committee's vote, Senator Vinehout presented committee members with a copy of a newspaper advertisement that ran in her district, sponsored by your coalition. As you may know, the advertisement was an issue advocacy ad. Issue ads are fine unless they include falsehoods. Your coalition's ad is such an advertisement. Below is the statement in the ad that is not true.

*This legislation allows main street pharmacies, as well as national pharmacies outlets like Cops, CVS, Shopko, Target, Walgreens, and Walmart to sell a full roster of prescription drugs on their \$4 list **without having to meet the requirement to mark them up by 9%**. I have included a copy of the full advertisement with this letter.*

To state that prescription medications must currently be marked-up by 9% is blatantly false. Only three product types in Wisconsin must carry a minimum mark-up (gasoline, tobacco, and alcohol). Wisconsin's Unfair Sales Act does not apply to prescription drugs differently than any other consumer product—they are not to be routinely sold below cost. AB 482 would uniquely remove prescription drugs from this requirement of the Unfair Sales Act.

If you have been misled by other proponents of AB 482, I encourage you challenge them for being dishonest and I encourage you to remove your organization from this group. If your organization chooses to continue to support the bill, we can agree to respectfully disagree. At a minimum, however, I ask that you ensure future communications from your coalition contain accurate information. The Pharmacy Society of Wisconsin has testified against this legislation at public hearings in the Assembly and Senate. Our testimony can be found at www.pswi.org under the government affairs section.

Proponents and opponents have provided conflicting testimony relevant to the financial impact this legislation may cause. But one point that is not in dispute is the fact that prescription medications in Wisconsin are not required to be marked-up by any percentage. The false statement made in this advertisement, listing your organization as a supporter, is misleading and reflects poorly on your organization. Citizens of Wisconsin and Wisconsin policy makers often turn to our respective organizations for credible guidance on legislative matters. Misinformation of this type, being portrayed as factual, is damaging to the respect of all our organizations.

Thank you for your consideration of my concern. I am willing to discuss this with you at your convenience.

701 Heartland Trail
Madison, WI 53717
Tele 608.827.9200
Fax 608.827.9292
info@pswi.org
www.pswi.org
www.pswi.org