

1 **RESOLUTION ENCOURAGING CONGRESS TO**
2 **ENACT MEDICARE PRESCRIPTION DRUG**
3 **BENEFIT**

4 2003 GENERAL SESSION

5 STATE OF UTAH

6 **Sponsor: Gene Davis**

7 **This joint resolution of the Legislature urges the United States Congress to enact**
8 **financially sustainable, voluntary, universal, and privately administered outpatient**
9 **prescription drug coverage as part of the federal § [Medicaid] MEDICARE § program.**

10 *Be it resolved by the Legislature of the state of Utah:*

11 WHEREAS, the use of prescription drugs improves the quality of care and helps
12 patients live healthier, longer, and more productive lives while keeping them out of more costly
13 acute care settings;

14 WHEREAS, the increased use of new and improved prescription drugs has changed the
15 delivery of health care in the United States;

16 WHEREAS, two-thirds of the Medicare population has some form of prescription drug
17 coverage, though in many cases the coverage is inadequate;

18 WHEREAS, one-third of the Medicare population have no coverage at all;

19 WHEREAS, Congress has not enacted a drug benefit in the Medicare program;

20 WHEREAS, the Medicare program is inadequate in providing the elderly and disabled
21 the most appropriate drug therapies, thereby preventing the delivery of quality health care at an
22 affordable cost;

23 WHEREAS, the private sector provides affordable coverage by negotiating discounts
24 on drugs and meeting the needs of special populations with chronic diseases and those with
25 comorbidities through coordinating care with disease management, drug utilization review, and
26 patient education programs, all of which aid in ameliorating medical errors;

27 WHEREAS, comprehensive reform of the Medicare program would utilize the



28 successful tools of the private sector in coordinating care for this population and use the
29 marketplace to foster competition among private plans, resulting in more choices of quality
30 coverage for seniors and the disabled while maintaining the financial sustainability of the
31 program;

32 WHEREAS, Congress' inaction has failed to provide for comprehensive reform of
33 Medicare, encouraging states to use their own resources to ease the burden of their elderly and
34 disabled populations and effectively assume an unfunded, informal mandate; and

35 WHEREAS, in implementing state programs to assist the Medicare population, state
36 budgetary constraints can often result in requirements to restrict and limit the patients' access to
37 needed prescription drugs and the enactment of anticompetitive price controls:

38 NOW, THEREFORE, BE IT RESOLVED that the Legislature of the state of Utah
39 urges the United States Congress to enact financially sustainable, voluntary, universal, and
40 privately administered outpatient prescription drug coverage as part of the federal § [Medicaid]
40a **MEDICARE** §
41 program.

42 BE IT RESOLVED that a copy of this resolution be sent to the President of the United
43 States Senate, the Speaker of the United States House of Representatives, the director of the
44 federal Department of Health and Human Services, the director of the Food and Drug
45 Administration, and the members of Utah's congressional delegation.

Legislative Review Note
as of 2-11-03 9:29 AM

A limited legal review of this legislation raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel

Fiscal Note**Bill Number SJR011****Resolution Encouraging Congress to Enact Medicare Prescription
Drug***18-Feb-03**10:51 AM*

State Impact

Any fiscal impact required to implement provisions of this resolution can be handled within existing budgets.

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst