

NO/Prop61

Deceptive Rx Proposition

www.NoProp61.com

Why Patient Advocates and Health Providers Oppose Prop 61

Proposition 61 is opposed by a broad coalition of more than 170 organizations, representing patient advocates, doctors and health clinics because it would be bad for patients. Prop 61 would impose unworkable contracting requirements for some state prescription drug purchases based on prices paid by the U.S. Department of Veterans Affairs (VA).

Independent experts warn this measure is deeply-flawed and would actually increase state prescription drug costs, while reducing patient access to medicines.

Here are some important facts:

Prop 61 would disrupt patient access to needed medicines

Prop 61 would invalidate many existing drug discount agreements the state has negotiated with pharmaceutical manufacturers for its Medi-Cal fee-for-service program.

Invalidate these contracts would take many medicines off the Medi-Cal preferred drug list. For these medicines, patients would then be required to go through a cumbersome and bureaucratic prior approval process before receiving medicines, putting state bureaucrats between patients and their doctors. This could lead to delays in treatment or even denial of coverage for needed medicines.

In its analysis, the California Public Employee Retirement System (CalPERS) says the initiative could lead to *“decreased access to certain drugs for CalPERS members.”*

The California Medical Association, representing more than 41,000 doctors, warns that Prop 61 “could interfere with patient access to the medicines they need.”



– California Medical Association

California Medical Association

Prop 61 would increase prescription drug costs for the state

Another consequence of Prop 61 invalidating many of the drug discount agreements the state has negotiated is an increase in state prescription drug costs.

The state’s nonpartisan Legislative Analyst’s Office said the initiative’s new contracting requirements would “endanger the supplemental rebates” the state currently collects on prescription drug purchases and “in such circumstances, the measure could raise (Department of Health Care Services) DHCS spending on prescription drugs.” The state currently receives approximately \$100 million annually in rebates, which Prop 61 puts at risk.



Prop 61 does not apply to 88% of Californians... but negatively impacts all of us

- More than 88% of Californians are excluded from the provisions in Prop 61, including more than 10.4 million low-income patients in Medi-Cal, 20.4 million Californians with private health insurance and Medicare, 1.4 million in Covered California and millions of others.
- For programs it does cover – an arbitrary selection of Californians in certain state government programs – experts warn that Prop 61 would actually increase prescription drug costs for the state and reduce patient access to needed medicines.

35 million Californians would be excluded from the measure



Prop 61... could actually increase prescription drug costs for the state's Medi-Cal program... And for the patients covered by Prop 61, it could restrict their access to the medicines that would help them stay healthier."

**– Gail Nickerson, Board President
California Association of Rural Health Clinics**



Prop 61's controversial promoter wrote in a special exemption for his own organization

- The author and promoter of Prop 61 is Michael Weinstein, the controversial president of an organization that brought in more than \$1 billion last year selling prescription drugs and operating HMOs. Suspiciously, he exempted his organization's HMO from having to comply with his own measure.
- Weinstein deceptively claims his goal is to lower prescription drug prices for the state of California. Yet, his organization is currently suing the state of California so it can charge the state more for prescription drugs. His lawsuit has blocked a law that would save taxpayers \$10 million a year.

Paid for by No on Prop 61 – Californians Against the Deceptive Rx Proposition, a coalition of veterans, doctors, patient advocates, seniors, taxpayers, and members of Pharmaceutical Research and Manufacturers of America with major funding by Merck & Co., Inc., Pfizer, Inc. and other companies.