

June 24, 2009

The Honorable Juan Arambula  
Chair, Assembly Public Safety Committee  
California State Assembly  
State Capitol, Room 2141  
Sacramento, CA 95814

**RE: Senate Bill 484 - OPPOSE**

Dear Assembly Member Arambula:

On behalf of the California Healthcare Institute (CHI), whose more than 250 members include our state's premier life sciences companies and academic research institutions, I am writing to oppose SB 484, a bill that would require a prescription to obtain ephedrine, pseudoephedrine, and related products (PSE) in California.

PSE is a component part used in the manufacture of methamphetamine. While we share your concerns about the dangers of methamphetamine use and the horrible effects it has on California communities, we do not feel that restricting access to law-abiding citizens who benefit from the proper use and administration of PSE is the correct approach to lessen the prevalence of methamphetamine use in California.

In 2006, the United States Congress passed the "Combat Methamphetamine Epidemic Act," or CMEA. Under this law, pharmacies that sell PSE must verify the identity of the purchaser, keep a record of all sales of these products for two years, and limit the amount that any individual may purchase within a 30 day period. Since the passage of this law nationwide, there has been a 65% decrease of illegal meth lab incidents nationwide, and an 86% decline here in California. We feel that the provisions within CMEA provide an effective deterrent for those who would purchase PSE for illicit use while protecting access to these medicines for patients who seek treatment for valid medical reasons.

Millions of Californians rely on PSE to ameliorate the symptoms of the common cold and seasonal allergies each year. While other nasal decongestant products are on the market as over-the-counter remedies for these symptoms, many consumers find that PSE works best for them. Indeed, since the enactment of CMEA, millions of consumers nationwide have waited patiently to present identification to a pharmacist in order to obtain PSE, even though other alternatives exist and do not require this inconvenience.

Additionally, if these products are only available by prescription, it will increase costs to consumers, the Medi-Cal and SCHIP programs, and the state's general fund. Consumers will have to consult a physician to obtain a prescription; the state will have to reimburse physicians everytime a Medi-Cal or SCHIP patient needs a prescription for PSE; and while consumers currently pay state sales tax on PSE as an over-the-counter remedy, prescription medications are not taxed in California.

For these reasons, we must oppose SB 484. Please feel free to contact us if you have any questions or would like to discuss this further.

Sincerely,

A handwritten signature in black ink, appearing to read "Sandra Pizarro". The signature is fluid and cursive, with a long horizontal stroke at the end.

Sandra Pizarro  
Vice President – State Government Affairs

cc: Chair & Members, Assembly Public Safety Committee  
Kim Horiuchi, Consultant, Assembly Public Safety Committee  
Gary Olson, Consultant, Assembly Republican Caucus