

# The PHARMABRO Act

Generic and off-patent price gouging legislation in Illinois, 2018

State Rep. Will Guzzardi (IL-39)

# Step 1: Research

- Learning about the Maryland legislation
- IL PIRG
- Maryland Initiative
- Coalition partners

# Step 2: Bill Intro, Coalition Building



**INDIVISIBLE ILLINOIS**

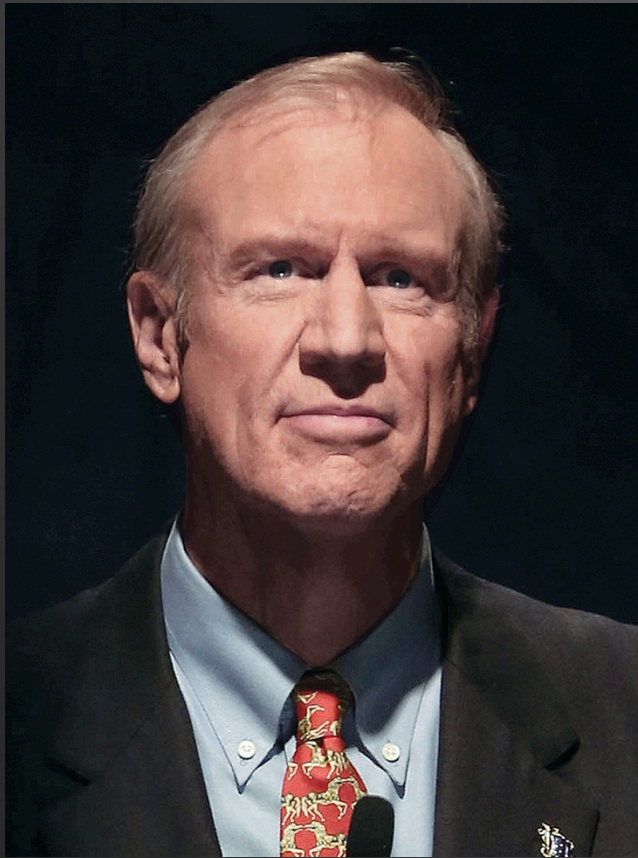
**P4  
AD**



**SEIU**Healthcare  
United for Quality Care



# Step 3: The Political Argument



# Step 4: House Committee



**Will Guzzardi** ✓  
@WillGuzzardi

Idea for a name for HB 4900:

The Pharmaceutical and Health Affordability:  
Restrictions on Manufacturers' Amoral  
Behavior through Reasonable Oversight  
(PHARMABRO) Act

Dare you to do better?



#### Lawmaker Wants To Punish Price Gougers

A state lawmaker is pushing a measure that would crack down on drug manufacturers that unjustifiably raise the prices of generic prescription drugs.

[chicago.cbslocal.com](http://chicago.cbslocal.com)

1:58 PM - 22 Feb 2018

12 Retweets 57 Likes

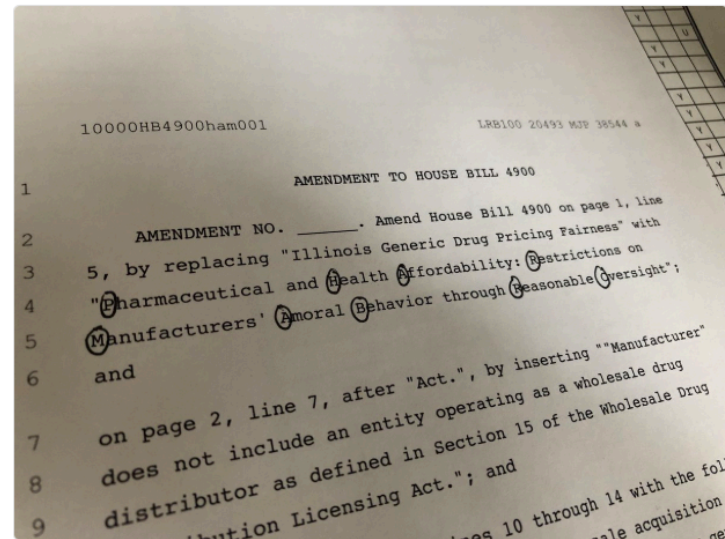


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**Will Guzzardi** ✓  
@WillGuzzardi

You guys I really did it #endpricegouging  
#PHARMABROact



5:05 PM - 16 Apr 2018

110 Retweets 450 Likes



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# Step 5: House Floor



**Will Guzzardi** ✓

@WillGuzzardi

After a grueling floor debate... the PHARMABRO Act passed the House! 65-38. On to the Senate!  
[#endpricegouging](#)

| HOUSE BILL 4900<br>GENERIC DRUG PRICING FAIRNESS<br>THIRD READING<br>PASSED |                   |              |
|---|-------------------|--------------|
| Apr 19, 2018  |                   |              |
| 65 YEAS   | 38 NAYS           | 1 PRESENT    |
| Y Ammons  | N Frese           | N Parkhurst  |
| N Andersson   | E Gabel           | E Phillips   |
| Y Andrade   | Y Gordon-Booth    | Y Pritchard  |
| Y Arroyo  | Y Greenwood       | N Reick      |
| P Batinick  | Y Guzzardi        | N Reis       |
| N Bellock   | N Halbrook        | Y Riley      |
| N Bennett   | Y Halpin          | Y Rita       |
| N Bourne  | N Hammond         | N Sauer      |
| E Brady   | Y Harper          | Y Scherer    |
| N Breen   | N Harris, David   | Y Sente      |
| Y Bristow   | Y Harris, Gregory | N Severin    |
| N Bryant  | N Hays            | E Skillicorn |
| Y Burke, Daniel   | Y Hernandez       | Y Slaughter  |
| Y Burke, Kelly  | Y Hoffman         | Y Smith      |
| N Butler  | Y Hurley          | E Sommer     |
| N Cabello   | N Ives            | N Sosnowski  |
| Y Carroll   | NV Jesiel         | A Soto       |
| Y Cassidy   | N Jimenez         | N Spain      |
| N Cavaletto   | Y Jones           | E Stewart    |
| Y Chapa LaVia   | Y Kifowit         | Y Stratton   |
| Y Connor  | Y Lang            | Y Stuart     |
| Y Conroy  | Y Lilly           | N Swanson    |
| Y Conyears-Ervin  | N Long            | Y Tabares    |
| Y Costello  | Y Mah             | Y Thapedi    |
| Y Crespo  | Y Manley          | Y Turner     |
| Y Currie  | Y Martwick        | NV Unes      |
| Y D'Amico   | Y Mayfield        | Y Wallace    |
| NV Davidsmeyer  | N McAuliffe       | Y Walsh      |
| Y Davis   | N McCombie        | N Wehrli     |

4:45 PM - 19 Apr 2018

40 Retweets 168 Likes



# Step 6: Road Blocks in the Senate

Additionally, John is a political advisor to many Illinois leaders including Illinois Secretary of State Jesse White, Illinois Senate President John Cullerton, Cook County Board President Toni Preckwinkle and many state senators and representatives. He previously



# Step 6: Road blocks, cont'd

## Circuit Court Strikes Blow to Maryland Drug Pricing Measure



By Thomas Sullivan — Last Updated May 11, 2018

DRUG PRICES STATE POLICY



148 0

On April 13, 2018, the United States of Appeals for the Fourth Circuit **struck down** the first-in-the-nation law aimed at lowering the price of off-patent or generic drugs. The Court, in a two-to-one ruling, stated the law is in violation of the Commerce Clause of the United States Constitution and therefore, **is unconstitutional**.

In 2017, Maryland became the first state to allow its attorney general to take legal action against drug companies after they increase the price of off-patent or generic drugs. The bill was passed by the Maryland legislature but became law without the signature of the state's governor, Larry Hogan. Hogan did not sign the legislation due to concerns that it was unconstitutional.

# Lessons for Activists

- ⊗ Build an inside-outside game
- ⊗ Know your strengths
- ⊗ Be prepared for their arguments
- ⊗ Use the network!
- ⊗ Could be a multi-year fight...

# Thanks!

State Rep. Will Guzzardi, IL-39

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