

## Negative

Delegates—

Mr. Speaker, Briscoe, Fowler, Boyer, Athey, Lipin, Thomason, Burkhead, Connell, Helms, Allen, Anderson, Fornos, Benner, Compton, Nimmerrichter, Arata, Coolahan, Malone, Alpert, Jacobson, Rynd, Hopkins, Nice, Price, Hinkel, Jensen, Jones, Kardash, Schirano, Tyler, Einschütz, Evans, Rush, Arnick, D'Anna, Minnick, Lowe, Dize, Matthews (R. M.), Burkheimer, Mackie, Dorman, Menes, Mothershead, Banning, Hull, King, Montfort, Santangelo, Weile, Aragona, Bagley, Donovan, Giordano, McDonough, Rummage, Hickman (C. M.), Hickman (R.), Houck, Remsberg, Virts, Greer, Hess, Osborne, Scarff, Hargreaves, Bonvegna, Bullock, Dypski, Krysiak, Silk, Walters, Adams (F. B.), Antonelli, Cassady, Chester, Holub, McCarty, Orlinsky, Sarbanes, Burns, Curran, Hergenroeder, Kent, Kircher, McQuade, Mooney, O'Brien, Abramson, Brailey, Dixon, Douglass, Epstein, Lee, Randolph, Abrams, Cardin, Friedman, Resnick, Spector, Waxter, Avara, Baumann, Freeberger, Murphy, Rutkowski, Weisengoff, Wyatt, Donaldson, Grumbacher, Hoffman, Wright, Clarke, Cronin, Lady, McInerney, Scott, Whalen, Whitney, Becker, Bell, Blondes, Cook (E. P.), Crawford, Zander, Wisner, Cook (N. S.), Evans, Reed, Williams, Matthews (R. C.), Yingling, Burgess, Warfield, Long, White, Aiken.

Total—138

*The Speaker announced the veto was sustained.*

## EXECUTIVE DEPARTMENT

Annapolis, Md., May 7, 1968.

The Honorable Marvin Mandel  
Speaker of the House of Delegates  
State House  
Annapolis, Maryland

Dear Mr. Speaker:

In accordance with Section 17 of Article II of the Maryland Constitution, I have vetoed today House Bill 574 and am returning it to you.

This bill would direct the Department of Health to publish a list of drugs which, when prescribed under a grant program, must be prescribed by their generic names. I want to make it abundantly clear that I am not opposed to the principle of this bill. I am certain that some generic drugs can be prescribed with the same confidence as brand name drugs. However, the dangers inherent in such a procedure make it of the utmost importance that we proceed only when we are sure of our steps.

The bill before me would allow a list to be published only after public hearings and only after the physician's and pharmacists' services committees of the Maryland Medical Assistance Advisory Committee approve. However, many questions are raised by this procedure which the bill does not answer. Must the committees be unanimous in their approval? What is to be used as a criteria for judging the efficiency of these drugs? Are they to be tested and if so, who is to do the testing and how will it be financed? What can be done if a doctor refuses to prescribe the drugs by their generic name once on the list? There are others. While some of these matters might be worked out under the broad administrative power of the Health Department, I believe they should be spelled out in any measure enacted by the Legislature.

From the testimony which was produced before me at the hearing on this bill, it seems clear that any list would have to be made up of drugs that have been tested to be sure that the results are equal with brand name drugs. Such testing would in my opinion be an expensive proposition to the State, possibly costing more than could be saved by the use of generic drugs. On this same subject the Commissioner of Health informs me that statements as to the possible savings under this bill are misleading since