

# H. CON. RES. 342

Expressing the sense of Congress that the Food and Drug Administration's (FDA) new policy restricting women's access to medications containing estriol does not serve the public interest.

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## IN THE HOUSE OF REPRESENTATIVES

May 6, 2008

Mr. Ross (for himself, Mrs. Emerson, Ms. Baldwin, Mr. Burgess, Mr. Farr, Mr. Carter, and Ms. Giffords) submitted the following concurrent resolution; which was referred to the Committee on Energy and Commerce

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### CONCURRENT RESOLUTION

Expressing the sense of Congress that the Food and Drug Administration's (FDA) new policy restricting women's access to medications containing estriol does not serve the public interest.

Whereas menopause is often a challenging transition for millions of women that requires specialized medications and medical treatments;

Whereas physicians prescribe a variety of pharmaceutical treatment options to treat women experiencing the symptoms of menopause;

Whereas individual women respond differently to different treatment options;

Whereas women's physicians determine on a case-by-case basis which treatment option is optimal for each woman;

Whereas many physicians prescribe compounded estrogen and other bioidentical hormone treatments for patients for a variety of reasons;

Whereas many physicians prescribe compounded estrogen treatments that contain estriol to treat menopausal and perimenopausal women;

Whereas estriol is one of three estrogens produced by the human body;

Whereas estriol has been prescribed and used for decades in the United States;

Whereas Congress has long recognized active pharmaceutical ingredients meeting standards set by the United States Pharmacopeia as permissible options for physician prescribing and pharmacy compounding;

Whereas the Food and Drug Administration (FDA) has announced that it will no longer permit compounding pharmacists to prepare medications containing estriol pursuant to a doctor's prescription;

Whereas insurers are now denying women reimbursement for compounded medications containing estriol as a result of the FDA's announcement; and

Whereas the FDA has acknowledged that it is unaware of any adverse events associated with use of compounded medications containing estriol: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that—*

(1) physicians are in the best position to determine which medications are most appropriate for their patients;

(2) the Food and Drug Administration (FDA) should respect the physician-patient relationship; and

(3) the FDA should reverse its policy that aims to eliminate patients' access to compounded medications containing estriol that their physicians prescribe for them.

**Final House Status Report for H.CON.RES.342:**

**Title:** Expressing the sense of Congress that the Food and Drug Administration's (FDA) new policy restricting women's access to medications containing estriol does not serve the public interest.

**Sponsor:** Rep Ross, Mike [AR-4] (introduced 5/6/2008)    Cosponsors (58)

**Latest Major Action:** 5/7/2008 Referred to House subcommittee. Status: Referred to the Subcommittee on Health.

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**COSPONSORS(58), ALPHABETICAL**

Rep Allen, Thomas H. [ME-1] - 6/11/2008

Rep Baldwin, Tammy [WI-2] - 5/6/2008

Rep Biggert, Judy [IL-13] - 7/31/2008

Rep Bonner, Jo [AL-1] - 7/10/2008

Rep Boren, Dan [OK-2] - 6/20/2008

Rep Brown-Waite, Ginny [FL-5] 6/3/2008

Rep Burton, Dan [IN-5] - 6/11/2008

Rep Carter, John R. [TX-31] - 5/6/2008

Rep Cooper, Jim [TN-5] - 6/11/2008

Rep Doyle, Michael F. [PA-14] - 6/5/2008

Rep Bachus, Spencer [AL-6] - 6/23/2008

Rep Berry, Marion [AR-1] - 6/4/2008

Rep Bishop, Rob [UT-1] - 6/4/2008

Rep Boozman, John [AR-3] - 6/4/2008

Rep Boyda, Nancy E. [KS-2] - 6/24/2008

Rep Burgess, Michael C. [TX-26] - 5/6/2008

Rep Capps, Lois [CA-23] - 7/22/2008

Rep Chandler, Ben [KY-6] - 6/4/2008

Rep Courtney, Joe [CT-2] - 11/19/2008

Rep Emerson, Jo Ann [MO-8] - 5/6/2008

Rep Eshoo, Anna G. [CA-14] - 6/19/2008  
Rep Frank, Barney [MA-4] - 7/10/2008  
Rep Giffords, Gabrielle [AZ-8] - 5/6/2008  
Rep Gonzalez, Charles. [TX20] 6/23/2008  
Rep Granger, Kay [TX-12] - 6/3/2008  
Rep Hall, Ralph M. [TX-4] - 6/3/2008  
Rep Johnson, Timothy V. [IL15]9/25/2008  
Rep LaHood, Ray [IL-18] - 6/23/2008  
Rep Marchant, Kenny [TX-24] - 9/11/2008  
Rep Michaud, Michael H. [ME-2] - 6/5/2008  
Rep Mitchell, Harry E. [AZ-5] - 6/19/2008  
Rep Musgrave, Marilyn [CO4] - 6/19/2008  
Rep Paul, Ron [TX-14] - 5/22/2008  
Rep Sanchez, Linda T. [CA39] 7/10/2008  
Rep Smith, Lamar [TX-21] - 7/31/2008  
Rep Stearns, Cliff [FL-6] - 6/4/2008  
Rep Tiberi, Patrick J. [OH-12] - 7/10/2008  
Rep Weller, Jerry [IL-11] - 6/5/2008  
Rep Wittman, Robert [VA-1] - 7/10/2008

Rep Farr, Sam [CA-17] - 5/6/2008  
Rep Franks, Trent [AZ-2] - 6/25/2008  
Rep Gohmert, Louie [TX-1] - 6/24/2008  
Rep Goode, Virgil H., Jr. [VA-5] - 6/19/2008  
Rep Grijalva, Raul M. [AZ-7] - 6/4/2008  
Rep Hinchey, Maurice D. [NY-22] - 7/22/2008  
Rep Kuhl, John Jr. [NY29] 6/4/2008  
Rep Lofgren, Zoe [CA-16] - 6/11/2008  
Rep McCaul, Michael T. [TX-10] - 6/5/2008  
Rep Miller, Jeff [FL-1] - 6/19/2008  
Rep Murphy, Tim [PA-18] - 6/11/2008  
Rep Pastor, Ed [AZ-4] - 6/11/2008  
Rep Poe, Ted [TX-2] - 7/31/2008  
Rep Shays, Christopher [CT-4] - 6/4/2008  
Rep Snyder, Vic [AR-2] - 6/5/2008  
Rep Thornberry, Mac [TX-13] - 6/3/2008  
Rep Wamp, Zach [TN-3] - 5/22/2008  
Rep Wexler, Robert [FL-19] - 6/4/2008  
Rep Wolf, Frank R. [VA-10] - 7/22/2008

110th CONGRESS  
2d Session

# **S. CON. RES. 88**

Expressing the sense of Congress that the Food and Drug Administration's (FDA) new policy restricting women's access to medications containing estriol does not serve the public interest.

## **IN THE SENATE OF THE UNITED STATES**

**June 10, 2008**

Mr. CORNYN (for himself and Mr. BUNNING) submitted the following concurrent resolution; which was referred to the Committee on Health, Education, Labor, and Pensions

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### **CONCURRENT RESOLUTION**

Expressing the sense of Congress that the Food and Drug Administration's (FDA) new policy restricting women's access to medications containing estriol does not serve the public interest.

Whereas menopause is often a challenging transition for millions of women that requires specialized medications and medical treatments;

Whereas physicians prescribe a variety of pharmaceutical treatment options to treat women experiencing the symptoms of menopause;

Whereas individual women respond differently to different treatment options;

Whereas women's physicians determine on a case-by-case basis which treatment option is optimal for each woman;

Whereas many physicians prescribe compounded estrogen and other bioidentical hormone treatments for patients for a variety of reasons;

Whereas many physicians prescribe compounded estrogen treatments that contain estriol to treat menopausal and perimenopausal women;

Whereas estriol is one of three estrogens produced by the human body;

Whereas estriol has been prescribed and used for decades in the United States;

Whereas Congress has long recognized active pharmaceutical ingredients meeting standards set by the United States Pharmacopeia as permissible options for physician prescribing and pharmacy compounding;

Whereas the Food and Drug Administration (FDA) has announced that it will no longer permit compounding pharmacists to prepare medications containing estriol pursuant to a doctor's prescription;

Whereas insurers are now denying women reimbursement for compounded medications containing estriol as a result of the FDA's announcement; and

Whereas the FDA has acknowledged that it is unaware of any adverse events associated with use of compounded medications containing estriol: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that—*

- (1) physicians are in the best position to determine which medications are most appropriate for their patients;
- (2) the Food and Drug Administration (FDA) should respect the physician-patient relationship; and
- (3) the FDA should reverse its policy that aims to eliminate patients' access to compounded medications containing estriol that their physicians prescribe for them, unless the FDA holds a public comment period on the issue and can document evidence of adverse events and other safety issues to justify such policy.

**Final Senate Status Report for S.CON.RES.88:**

**Title:** A concurrent resolution expressing the sense of Congress that the Food and Drug Administration's (FDA) new policy restricting women's access to medications containing estriol does not serve the public interest.

**Sponsor:** Sen Cornyn, John [TX] (introduced 6/10/2008)    Cosponsors (2)

**Latest Major Action:** 6/10/2008 Referred to Senate committee. Status: Referred to the Committee on Health, Education, Labor, and Pensions.

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**COSPONSORS(2), ALPHABETICAL**

Sen. Bunning, Jim [KY] – 6/10/2008

Sen. Inhofe, James M. [OK] – 6/17/2008