



**JAMES L. MADARA, MD**  
EXECUTIVE VICE PRESIDENT, CEO

ama-assn.org  
t (312) 464-5000

April 18, 2018

The Honorable John Armato  
State of New Jersey  
New Jersey Assembly  
2312 New Road  
Northfield, NJ 08225

Re: American Medical Association concerns with Assembly Bill 3292, to require that prescription opioid medications include a warning sticker advising patients of risk of addiction and overdose

Dear Assemblyman Armato:

On behalf of the American Medical Association (AMA) and our physician and medical student members, I am writing to express the AMA's concern with Assembly Bill 3292 (A3292), a bill that would require pharmacists to affix a red sticker on the prescription bottle to warn patients of the risks associated with opioid-related misuse. At a threshold level, the AMA shares your concern about the nation's and New Jersey's opioid-related epidemic that has claimed far too many lives. The AMA strongly advocates for physicians to be leaders in ending this epidemic, and we are encouraged that there is a nationwide decrease in opioid prescribing, increases in naloxone co-prescribing and use of prescription drug monitoring programs. Between 2013-2017, opioid prescriptions decreased by more than 22 percent nationally; in New Jersey, opioid prescriptions decreased by 23 percent during the same time period, according to health information company IQVIA (Formerly IMS Health).

At the same time, we remain concerned that patients with pain are not receiving the care they need, and we know that patients with substance use disorders continue to struggle to find high quality, evidence-based care. With respect to A3292, we appreciate that you have put forward a proposal to help educate patients about the potential adverse effects of opioid analgesics. The proposal, however, raises serious issues relating to health literacy, stigma, diversion and medication adherence.

The AMA supports research into, and development of, novel and affordable pharmaceutical packaging for dispensed medications, as well as abuse deterrent and tamper resistant formulations in attempts to increase ease of use, improve patient adherence and decrease the potential for misuse and abuse of controlled substances. We are not aware of any data suggesting that affixing a red warning sticker on a prescription bottle will improve patient adherence or decrease misuse of opioid analgesics.

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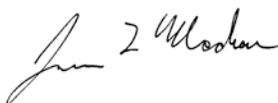
Moreover, the AMA recommends all health care and pharmaceutical institutions adopt the U.S. Pharmacopeia (USP) prescription standards and provide prescription instructions in the patient's preferred language when available and appropriate. The USP standards, which all pharmacies must follow, emphasize the need to ensure that the language affixed to the prescription label helps avoid patient confusion and supports patient health literacy. The AMA points out that opioid analgesics are but one class of controlled substances that have potential risks associated with drug-drug interaction, physiological dependence and other health indicators. We further note that "addiction" is a term of science that denotes one who pursues negative behaviors despite knowing the consequences. The AMA does not believe it is medically warranted or appropriate to suggest that any user of an opioid analgesic is subject to "addiction" as this would unfairly stigmatize patients who rely on this legal medication for legitimate pain relief.

Finally, we are concerned that A3292 has the potential to increase diversion of opioid analgesics by creating a target for theft. Pharmacies are almost universally public places of business, and by affixing a large red label to a patient's medication, it could target them for theft. Moreover, because more than 70 percent of non-medical use of opioid analgesics occurs from medication obtained from family, friends, theft and other reasons, affixing a red label just makes it easier to steal from medicine cabinets, unattended property and other open sources.

The AMA strongly appreciates your concerns and efforts to end the opioid overdose and death epidemic. We hope that A3292 spurs additional discussion about the need to ensure safe storage and disposal of opioid analgesics and all medications, but as it currently has been proposed, the AMA does not support A3292 for the aforementioned reasons.

If you have any questions, please contact Daniel Blaney-Koen, JD, Senior Legislative Attorney, AMA Advocacy Resource Center at [daniel.blaney-koen@ama-assn.org](mailto:daniel.blaney-koen@ama-assn.org) or (312) 464-4954.

Sincerely,

A handwritten signature in black ink, appearing to read "James L. Madara".

James L. Madara, MD

cc: Medical Society of New Jersey