



MEMORANDUM

TO: Members of the Senate Civil Rights, Judiciary, and Public Safety Committee

FROM: Wendy Block, Michigan Chamber of Commerce

SUBJECT: MI Chamber Voices Concerns Regarding FDA Defense Repeal (SB 410)

DATE: Oct. 5, 2023

This memo is to voice the **Michigan Chamber's opposition to Senate Bill 410**, legislation to repeal Michigan's FDA defense law.

Our concern with the legislation (as written) is that it doesn't recognize the important role the U.S. Food and Drug Administration (FDA) plays in assessing the efficacy and safety of drugs before their reach patients. Every day, the FDA must balance the needs and hopes of patients waiting for new treatments against the need to ensure that the medicines being studied are safe and effective.

Current law may not be perfect, but it appropriately seeks to strike a balance between recognizing that all prescription drugs have some risks associated with their use and the need to give Michigan residents an avenue to file a lawsuit if the FDA finds wrongdoing by a drug manufacturer.

We would encourage further dialogue around SB 410. Rather than repealing Michigan's current FDA defense law and opening the door to a new onslaught of new litigation against doctors, pharmacists and pharmaceutical companies, we would encourage you to look at how other states handle these claims and seek a more balanced approach.

Please do not hesitate to contact me with any questions at 517-371-7678 or wblock@michamber.com.