
SENATE JOINT MEMORIAL 8032

State of Washington 59th Legislature 2006 Regular Session

By Senators Keiser, Franklin, Kohl-Welles, Thibaudeau, Kline and McAuliffe

Read first time 01/17/2006. Referred to Committee on Health & Long-Term Care.

1 TO THE HONORABLE GEORGE W. BUSH, PRESIDENT OF THE UNITED STATES,
2 AND TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF
3 REPRESENTATIVES, AND TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE
4 UNITED STATES, IN CONGRESS ASSEMBLED, AND TO DR. ANDREW C. VON
5 ESCHENBACH, ACTING DIRECTOR OF THE UNITED STATES FOOD AND DRUG
6 ADMINISTRATION:

7 We, your Memorialists, the Senate and House of Representatives of
8 the State of Washington, in legislative session assembled, respectfully
9 represent and petition as follows:

10 WHEREAS, No primary form of contraceptive is totally effective in
11 preventing unintended or undesired pregnancies in women; and

12 WHEREAS, Many women would prefer an optional method of preventing
13 such pregnancies other than abortion; and

14 WHEREAS, A prescription emergency contraceptive for women, commonly
15 referred to as "Plan B," was approved in 1999 by the United States Food
16 and Drug Administration (FDA); and

17 WHEREAS, In 2003, the FDA's Nonprescription Drugs and Reproductive
18 Health Drugs Advisory Committees strongly recommended that "Plan B" be
19 sold over-the-counter without a prescription; and

1 WHEREAS, In May 2004, the FDA, ignoring the advice of their own
2 scientific advisory committee, issued a letter of nonapproval for over-
3 the-counter distribution of "Plan B"; and

4 WHEREAS, In June 2004, the United States Senate requested a
5 Government Accountability Office (GAO) investigation and committee
6 hearings into whether the FDA violated procedures and "ignored
7 scientific evidence to arrive at its decision"; and

8 WHEREAS, In November 2005, the GAO issued its report on the FDA's
9 "Plan B" decision and found that the FDA did not follow normal
10 procedures in making its decision not to approve "Plan B" for over-the-
11 counter status and had done so without proper review of scientific
12 evidence before rendering the decision; and

13 WHEREAS, Both Susan Wood, director of FDA's Office of Women's
14 Health and Dr. Frank Davidoff, a consultant to the FDA Nonprescription
15 Drugs Advisory Committee resigned their positions in protest over the
16 FDA's decision on "Plan B"; and

17 WHEREAS, Since March 2004 when "Plan B" was approved for over-the-
18 counter distribution in Washington State, the number of induced
19 abortions in Washington State have significantly decreased; and

20 WHEREAS, Other states and Canada have also provided for over-the-
21 counter distribution of "Plan B"; and

22 WHEREAS, As of January 2006, no decision on over-the-counter
23 distribution of "Plan B" has been issued by the FDA;

24 NOW, THEREFORE, Your Memorialists respectfully pray that the
25 President, Congress, and the United States Food and Drug Administration
26 take necessary action to grant over-the-counter access status to "Plan
27 B," an effective and safe emergency contraceptive option, for all
28 women.

29 BE IT RESOLVED, That copies of this Memorial be immediately
30 transmitted to the Honorable George W. Bush, President of the United
31 States, Dr. Andrew C. Von Eschenbach, the Acting Director of the United
32 States Food and Drug Administration, the President of the United States
33 Senate, the Speaker of the House of Representatives, and each member of
34 Congress from the State of Washington.

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