

**ENROLLED ORIGINAL**

A RESOLUTION

21-742

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

December 20, 2016

To declare the existence of an emergency with respect to the need to amend the District of Columbia Health Occupations Revision Act of 1985 to clarify that the exemption from licensure requirements for individuals engaged in the practice of pharmaceutical detailing applies to those practicing for less than 30 days per calendar year.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the “Pharmaceutical Detailing Licensure Exemption Emergency Declaration Resolution of 2016”.

Sec. 2. (a) The SafeRx Amendment Act of 2008, effective March 26, 2008 (D.C. Law 17-131; 55 DCR 1659), established licensure requirements for a broad number of pharmaceutical employees and representatives engaged in interactions with healthcare professionals in the District. The purpose of this legislation was to regulate the practice of pharmaceutical detailing.

(b) The broadly written SafeRx Amendment Act of 2008 requires scientists and medical doctors employed by pharmaceutical companies to register with the District before interacting with registered physicians, even if they are giving a speech or attending a medical conference, meeting, or convention in the District.

(c) The Council attempted to address this concern through the enactment of the Pharmaceutical Detailing Licensure Exemption Amendment Act of 2015, effective October 22, 2015 (D.C. Law 21-36; 62 DCR 10905), by creating an exemption from licensure requirements for individuals engaged in the practice of pharmaceutical detailing for less than 30 consecutive days. Since the enactment of this legislation, ambiguity exists in how to interpret and implement the phrase “30 consecutive days” to determine which individuals need to seek licensure as a pharmaceutical detailer.

(d) Removing the term “consecutive” would resolve any ambiguity from the original exemption and would align the exemption with the interpretation of the legislation by the Board of Pharmacy. Permitting an exemption from licensure for individuals engaged in the practice of pharmaceutical detailing for a period of 30 days per calendar year will allow scientists and medical doctors employed by pharmaceutical companies to give speeches or attend medical conferences, meetings, or conventions in the District without undue burden. This legislation is necessary to address the ambiguity that currently exists in District law.

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Sec. 3. The Council of the District of Columbia determines that the circumstances enumerated in section 2 constitute emergency circumstances making it necessary that the Pharmaceutical Detailing Licensure Exemption Emergency Amendment Act of 2016 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.