

**To:** Vincent DeMarco, President  
 Maryland Citizens' Health Initiative, Inc.

**From:** Steve Raabe, President  
 OpinionWorks LLC

**Date:** November 15, 2017

**Subject:** New Maryland Voter Poll on Prescription Drug Affordability Legislation

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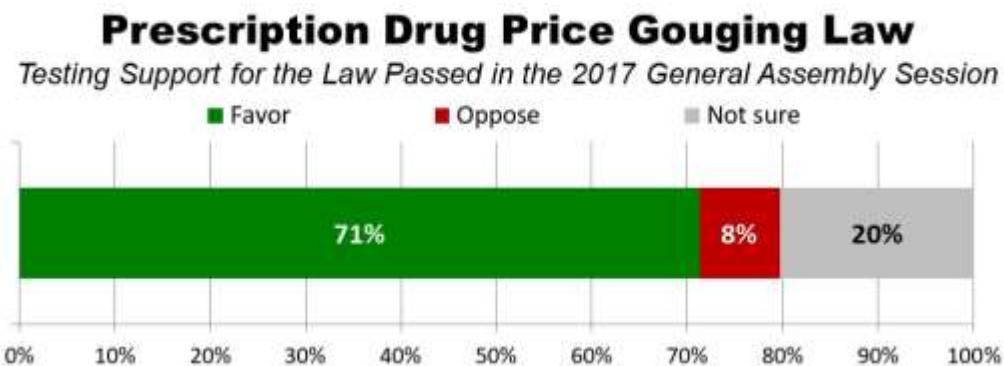
This memorandum summarizes the results of our statewide poll of 850 Maryland registered voters, conducted October 25-November 7, 2017, on the topic of prescription drug affordability legislation. The survey sample represents the partisan and demographic makeup of the statewide electorate, reflecting their views within a potential margin of error of ±3.3% at the 95% confidence level. Live interviewers reached voters on both wireless and landline telephones, and a third group of voters were given the option of responding to the survey online to ensure that this poll best represented the statewide electorate.

#### **Strong Support for the Prescription Drug Price Gouging Law Passed in the 2017 General Assembly Session**

Maryland voters overwhelmingly support the new prescription drug price gouging law that was passed in the most recent General Assembly Session, by a margin of nine to one. Nearly three-quarters of voters (71%) said they favor this new law, compared to only 8% who said they oppose it.

In assessing their support or opposition, the substance of the law was described like this:

*"Last April, Maryland became the first state in the nation to pass a law that protects consumers against price gouging by drug corporations. The law authorizes Maryland's attorney general to sue drug corporations to prevent unconscionable price increases in generic or off-patent prescription drugs."*



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*"From what you know right now, do you favor or oppose Maryland's prescription drug price gouging law?"*

Support for this law crosses all political lines, with 75% of Democrats, 69% of Republicans, and 65% of unaffiliated and third-party voters favoring Maryland's new prescription drug price gouging law.

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### Support for Three New Prescription Drug Proposals is Even Higher

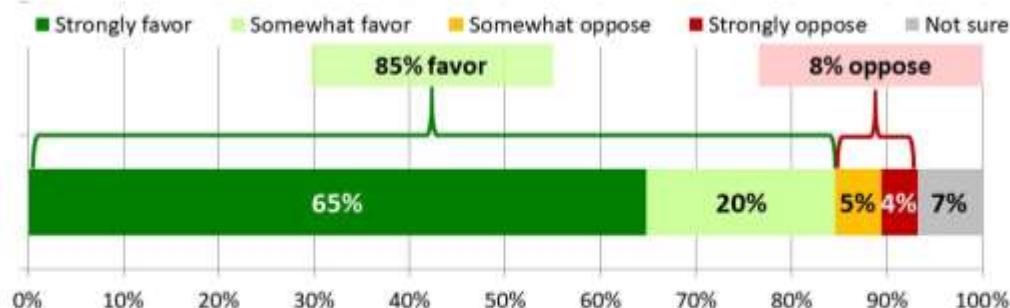
Looking ahead to new legislation, there is sweeping support among Maryland voters for three additional proposals meant to address prescription drug prices. Voter support for these three proposals is resounding, reaching as high as 85%, with a majority of Maryland's voters supporting each of these proposals *strongly*.

These three legislative proposals were tested:

- Requiring prescription drug corporations to notify the public about expensive new drugs and large price increases for older drugs, and to justify those pricing decisions.
- Creating a Maryland Prescription Drug Cost Review Commission in Maryland to examine the evidence and establish acceptable costs for drugs.
- Preventing commercial managers of prescription drug plans from restricting what pharmacists can tell consumers about lower-cost drug options, as they sometimes do today.

The first of these proposals, requiring companies to notify the public and justify their drug pricing decisions, is supported by 85% of voters, with nearly two-thirds of voters (65%) strongly in favor. Only 8% of voters statewide oppose this legislation.

### Price Increase Notification



"There are several other proposals intended to protect consumers against high prescription drug costs in Maryland. I would like to read you three of them and ask your opinion. For each one, please tell me if you would strongly favor, somewhat favor, somewhat oppose, or strongly oppose it....

"Require prescription drug corporations to notify the public about expensive new drugs and large price increases for older drugs, and to justify those pricing decisions."

Favoring this proposal are 90% of Democrats, 83% of Republicans, and 75% of unaffiliated and third-party voters. Majorities of all three of those partisan groupings support this legislation strongly. Voters who said they are "absolutely certain" to vote in 2018 are more likely than others to support this proposal, with 90% in favor, and 72% of those certain voters *strongly* favoring it.

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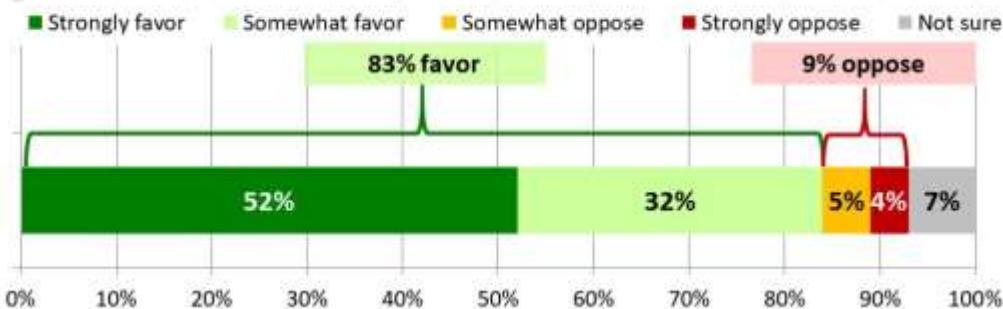
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The second proposal, which would create a Prescription Drug Cost Review Commission in Maryland, is favored by 83% of voters statewide, with 52% strongly in favor. Only 9% oppose this legislation.

Like the other legislation, support cross party lines and is stronger among those who are certain to vote in 2018. Eighty-seven percent of Democrats, 79% of Republicans, and 77% of unaffiliated and third-party voters favor creating a Prescription Drug Cost Review Commission. Among those who said they are "absolutely certain" to vote, 85% favor the legislation.

### Prescription Drug Cost Review Commission



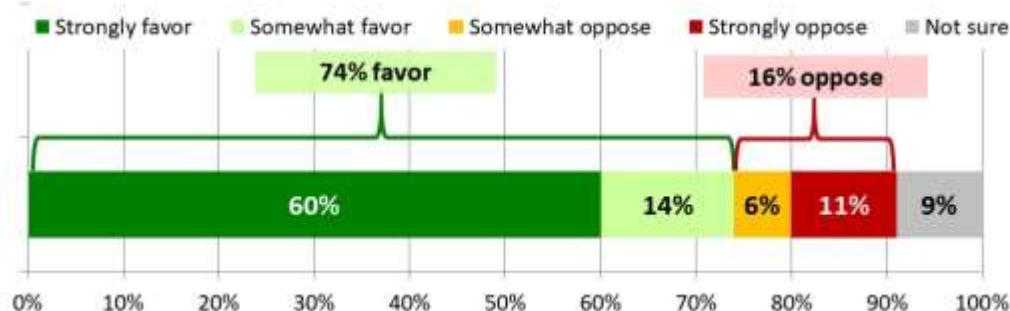
"There are several other proposals intended to protect consumers against high prescription drug costs in Maryland. I would like to read you three of them and ask your opinion. For each one, please tell me if you would strongly favor, somewhat favor, somewhat oppose, or strongly oppose it..."

"Create a Maryland Prescription Drug Cost Review Commission in Maryland to examine the evidence and establish acceptable costs for drugs."

The third proposal, which would prevent commercial managers of prescription drug plans from restricting what pharmacists can tell consumers about lower-cost drug options, is favored by 74% of voters, with 60% doing so strongly. One-sixth (16%) are opposed.

Favoring this legislation are 74% of Democrats, 79% of Republicans, 68% of unaffiliated and third-party voters, and 79% of the voters of any party who are certain to vote.

### Prevent Commercial Managers of Drug Plans from Restricting What Pharmacists Can Tell Consumers



"There are several other proposals intended to protect consumers against high prescription drug costs in Maryland. I would like to read you three of them and ask your opinion. For each one, please tell me if you would strongly favor, somewhat favor, somewhat oppose, or strongly oppose it..."

"Prevent commercial managers of prescription drug plans from restricting what pharmacists can tell consumers about lower-cost drug options, as they sometimes do today."

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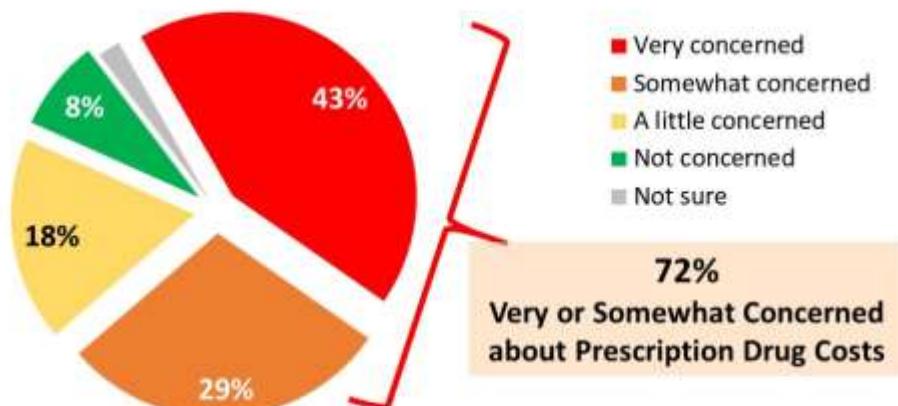
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There is significant personal concern among voters about the cost of prescription drugs. Forty-three percent (43%) of voters said they are “very concerned personally” about the cost of prescription drugs. Another 29% of voters said they are “somewhat concerned,” totaling 72% of voters who have at least some concern about drug costs.

Eighteen percent (18%) said they are “a little concerned,” leaving only 8% who said they are not personally concerned about prescription drug costs, and a very small number who are not sure.

This very high level of personal concern in the electorate is one factor that helps to explain the strong support for these legislative proposals. Such palpable concern helps drive voter support.

### Personal Concern for Prescription Drug Costs



"How much does the cost of prescription drugs concern you, personally? Would you say you are very concerned personally, somewhat concerned, a little concerned, or not personally concerned about it?"

### A Large Possible Electoral Impact Due to Prescription Drug Costs

For General Assembly and gubernatorial candidates in 2018, their position on prescription drug affordability legislation could have a major impact on their election. When asked whether their own legislator's support or opposition for this legislation would impact how they vote, voters strongly said yes. The impact was just as striking in the race for Governor.

As the table on the following page indicates, on the so-called generic ballot, Democratic legislative candidates start off with a 19-point advantage based on partisan preferences across the state. This generic Democratic edge has been fairly consistent over the past two years in our polling. However, finding out that a hypothetical Democrat in their district supports the prescription drug affordability legislation while the Republican opponent opposes it, the margin for the Democrat increases dramatically, to 41 points.

More noteworthy, the partisan advantage for Democrats is erased and reversed if the *Republican* supports the legislation while the Democrat opposes it. In this scenario, the Republican legislative candidate wins by a remarkable 27 percentage points, representing an enormous swing in voter support. All-told, the political potency of this issue is unusual and demonstrates the depth of voter feeling about the need to control prescription drug costs.

(See table, next page)

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## Support for Legislative Candidates Based on Prescription Drug Affordability Vote

|   | Support the Democratic Candidate | Support the Republican Candidate | Margin          |
|---|----------------------------------|----------------------------------|-----------------|
| Generic Ballot in State Legislative Elections                   | 42%                              | 23%                              | Democrat +19%   |
| Democrat Supports Legislation<br>Republican Opposes Legislation | 54%                              | 13%                              | Democrat +41%   |
| Republican Supports Legislation<br>Democrat Opposes Legislation | 16%                              | 43%                              | Republican +27% |

"In the next state legislative elections, are you more likely to vote for... (rotate): the Democratic candidates or the Republican candidates?"

(Rotate order of next two questions):

"If you learned that the Democratic candidate in your legislative district supported prescription drug affordability legislation while the Republican candidate opposed it, who would you be more likely to vote for the Democratic candidate or the Republican candidate?"

"If you learned that the Republican candidate in your legislative district supported prescription drug affordability legislation while the Democratic candidate opposed it, who would you be more likely to vote for the Republican candidate or the Democratic candidate?"

Governor Hogan is popular, leading an unnamed Democratic challenger by 43% to 28% (+15%). The Governor's electoral margin grows significantly to +35% if he supports the drug affordability legislation while his opponent opposes it (50% for Gov. Hogan vs. 15% for his Democratic challenger).

The electorate further demonstrates the potency of this issue in a hypothetical situation where the *Democrat* supports the legislation while Gov. Hogan opposes it. Voter support swings dramatically in this scenario, with the generic Democrat defeating the incumbent governor, 47% to 19% (Democratic margin +28).

## Support for Gubernatorial Candidates Based on Prescription Drug Affordability Vote

|  | Support Governor Hogan | Support the Democratic Candidate | Margin        |
|--|------------------------|----------------------------------|---------------|
| Gov. Hogan vs. Generic Democrat                            | 43%                    | 28%                              | Hogan +15%    |
| Hogan Supports Legislation<br>Democrat Opposes Legislation | 50%                    | 15%                              | Hogan +35%    |
| Democrat Supports Legislation<br>Hogan Opposes Legislation | 19%                    | 47%                              | Democrat +28% |

"If the election for Governor were being held today, would you vote for the Republican incumbent Larry Hogan, or for his Democratic challenger?"

(Rotate order of next two questions):

"If you learned that the Governor Hogan supported prescription drug affordability legislation while the Democratic candidate for Governor opposed it, who would you be more likely to vote for Governor Hogan or the Democratic candidate?"

"If you learned that the Democratic candidate for Governor supported prescription drug affordability legislation while the Governor Hogan opposed it, who would you be more likely to vote for the Democratic candidate or Governor Hogan?"

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### Brief Background on OpinionWorks

OpinionWorks conducts frequent opinion studies at the state and local level across the country. Since 2007 we have been the polling organization for *The Baltimore Sun* newspaper in Maryland, and have polled for numerous other media throughout the Mid-Atlantic region. We are currently engaged by state and local government agencies in Virginia, Maryland, Delaware, and New York to assess public needs and preferences. Our recently released Citizen Stewardship Indicator, conducted for the Chesapeake Bay Program, is a model nationally for measuring behavior adoption and potential behavior change on behalf of water restoration. We measure health attitudes and practices for the Horizon Foundation and public health departments across the country. In addition to these public surveys, we assess donor and customer relationships for a variety of non-profit and for-profit entities nationally and internationally, with a growing body of work in Latin America.