

What was the law of the land, and what agency was in charge of monitoring compounding pharmacies? The reality was that no one seemed to know. According to my legislative aide source, most people thought the entire compounding section of the FDAMA had been struck down and was now invalid.

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## **BLUE STATE, PURPLE STATE, RED STATE— NOW IT MAKES SENSE**

When I first started my research for this book, I called the state boards of pharmacy in two big blue states, a good size purple state, and two big red states. The representative of one of the blue state boards of pharmacy said in so many words that they wait until the FDA tells them the rules, and then they follow them. The representative of the purple state board of pharmacy said they were in a push-pull between following the FDA and initiating legislation to do their own oversight. I thought their actions were politically in line with federal government versus state government rights. However, there was a legal reason for the differences. The red states are in the Fifth Circuit, while the blue states are in the Ninth Circuit, with the purple state falling under the “all other” states.

It took the unfortunate incident with the New England Compounding Center (NECC) and the loss of life to trigger legislative action to address the confusion. In many ways, the legislative action was “confusion to solve confusion.”

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## **HOW H.R. 3204 BECAME LAW**

H.R. 3204 is otherwise known as the Drug Quality and Security Act.<sup>7</sup> In terms of the U.S. Congress, this law was passed swiftly and with bipartisan support. Some people who lobby the U.S. Congress for a living sometimes equate the process to make a law with the process to make sausage. It is not pretty, but eventually the outcome is positive for our nation.

All laws have to begin with ideas. The thought of doing nothing after 751 people contracted meningitis and 64 people lost their lives after being administered with tainted medicine was not even considered by