

W.J. "BILLY" TAUZIN, LOUISIANA
RALPH M. HALL, TEXAS
MICHAEL BILIRAKIS, FLORIDA
FRED UPTON, MICHIGAN
CLIFF STEARNS, FLORIDA
PAUL E. GILLMOR, OHIO
JAMES C. GREENWOOD, PENNSYLVANIA
CHRISTOPHER COX, CALIFORNIA
NATHAN DEAL, GEORGIA
RICHARD BURR, NORTH CAROLINA
ED WHITFIELD, KENTUCKY
CHARLIE NORWOOD, GEORGIA
BARBARA CUBIN, WYOMING
JOHN SHIMKUS, ILLINOIS
HEATHER WILSON, NEW MEXICO
JOHN B. SHADEGG, ARIZONA
CHARLES W. "CHIP" PICKERING, MISSISSIPPI
VITO FOSSELLA, NEW YORK
STEVE BUYER, INDIANA
GEORGE RADANOVICH, CALIFORNIA
CHARLES F. BASS, NEW HAMPSHIRE
JOSEPH R. PITTS, PENNSYLVANIA
MARY BONO, CALIFORNIA
GREG WALDEN, OREGON
LEE TERRY, NEBRASKA
MIKE FERGUSON, NEW JERSEY
MIKE ROGERS, MICHIGAN
DARRELL E. ISSA, CALIFORNIA
C.L. "BUTCH" OTTER, IDAHO
JOHN SULLIVAN, OKLAHOMA

BUD ALBRIGHT, STAFF DIRECTOR

ONE HUNDRED EIGHTH CONGRESS

U.S. House of Representatives
Committee on Energy and Commerce
Washington, DC 20515-6115

JOE BARTON, TEXAS
CHAIRMAN

December 3, 2004

JOHN D. DINGELL, MICHIGAN
HENRY A. WAXMAN, CALIFORNIA
EDWARD J. MARKEY, MASSACHUSETTS
RICK BOUCHER, VIRGINIA
EDOLPHUS TOWNS, NEW YORK
FRANK PALLONE, JR., NEW JERSEY
SHERROD BROWN, OHIO
BART GORDON, TENNESSEE
PETER DEUTSCH, FLORIDA
BOBBY L. RUSH, ILLINOIS
ANNA G. ESHOO, CALIFORNIA
BART STUPAK, MICHIGAN
ELIOT L. ENGEL, NEW YORK
ALBERT R. WYNN, MARYLAND
GENE GREEN, TEXAS
KAREN MCCARTHY, MISSOURI
TED STRICKLAND, OHIO
DIANA DeGETTE, COLORADO
LOIS CAPPS, CALIFORNIA
MICHAEL F. DOYLE, PENNSYLVANIA
CHRISTOPHER JOHN, LOUISIANA
TOM ALLEN, MAINE
JIM DAVIS, FLORIDA
JAN SCHAKOWSKY, ILLINOIS
HILDA L. SOLIS, CALIFORNIA
CHARLES A. GONZALEZ, TEXAS

Ms. Janet Olszewski
Director
Michigan Department of Community Health
Lewis Cass Building
320 South Walnut
Lansing, MI 48913

Dear Ms. Olszewski:

On November 18, 2004, you testified before the Subcommittee on Health and Subcommittee on Oversight and Investigations in a joint hearing entitled "Flu Vaccine: Protecting High-Risk Individuals and Strengthening the Market." I now ask for your response to several additional questions (attached).

Because I wish to include the questions and responses in the printed record of this hearing, please respond no later than Friday, December 17, 2004. Please fax and e-mail the responses. The faxed response should be directed to Eugenia Edwards, Committee on Energy and Commerce majority staff, at (202) 226-2447, and Voncille Hines, Committee on Energy and Commerce minority staff, at (202) 225-5288. The e-mail copy of the response should be in MS Word format and directed to Eugenia Edwards (Eugenia.Edwards@mail.house.gov) and Voncille Hines (Voncille.Hines@mail.house.gov). Due to the uncertainties of postal deliveries on Capitol Hill, your response should not be sent through the postal service.

If you have any questions, please contact John Ford, Minority Counsel with the Committee on Energy and Commerce, at (202) 226-3400.

Sincerely,


JOHN D. DINGELL
RANKING MEMBER

Attachment

Ms. Janet Olszewski

Page 2

cc: The Honorable Joe Barton, Chairman
Committee on Energy and Commerce

The Honorable Michael Bilirakis, Chairman
Subcommittee on Health

The Honorable Sherrod Brown, Ranking Member
Subcommittee on Health

The Honorable Greg Walden, Vice Chairman
Subcommittee on Oversight and Investigations

The Honorable Peter Deutch, Ranking Member
Subcommittee on Oversight and Investigations

**Questions for Ms. Janet Olszewski, Director
Michigan Department of Community Health
from the Honorable John D. Dingell
Committee on Energy and Commerce
regarding the November 18, 2004, Subcommittee on Health and
Subcommittee on Oversight and Investigations
Hearing entitled "Flu Vaccine: Protecting High-Risk Individuals and
Strengthening the Market"**

1. One suggestion for a government-supported surplus vaccine buy back program is for the government to provide an end-of-season, below market price, buy back of surplus doses of flu vaccine up to some prearranged limit. Do you agree with this suggestion? If so, please provide details on how you think a buy back program should work. If not, what alternative programs do you recommend?

2. It is clear that much of the distribution and reallocation that takes place during a shortage happens from the goodwill of persons who could refuse to comply with requests to give up supplies that they own. Please comment on whether you believe states have adequate authority to require redistribution in a shortage. The state of Michigan, for example, is operating under a public health order, but many states either do not have this authority or are not exercising it. What criteria should apply to such authority? For example, should this only be triggered upon declaration of a public health emergency? What limits in scope and duration should apply to such authority? Finally, what penalties should apply to violation of an order? Please also answer this question from the perspective of federal authority? Does the Federal Government need more authority to deal with severe vaccine shortages? If so, or if not, please explain.

3. Dr. Coelingh (MedImmune, Inc.) made the point that it is important to incentivize U.S. production to avoid a concern with possible supply interruption during a pandemic. How important is U.S.-based manufacturing capacity to achieving the goal of an adequate and reliable supply of annual flu vaccines and in the event of a pandemic?