

**Prescribed Product Disclosures
For Reporting Year 2016**

**Report of
Vermont Attorney General
Thomas J. Donovan, Jr.
October 2017**

Prepared by staff of the Vermont Attorney General's Office:

Christopher J. Curtis, Chief, Public Protection Division
Merideth C. Chaudoir, Assistant Attorney General
AJ Van Tassel, Investigator
Rowan Cornell-Brown, Program Technician

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I. Summary

This publication is the Vermont Attorney General’s fifteenth report on Prescribed Product Disclosures. It is based upon disclosures of expenditures and sampling activity by manufacturers of pharmaceuticals, biologics (e.g., vaccines) and medical devices (e.g., artificial hips, hearing aids, and scopes) engaged in during Reporting Year 2016 (“RY 2016”), ranging from January 1, 2016, through December 31, 2016. Vermont’s Prescribed Product Disclosure Law, 18 V.S.A. §§ 4631a, 4632, requires the Vermont Attorney General to issue an annual report about the disclosures.¹

Pursuant to Vermont law, the Attorney General may only report samples to the public in aggregate form. Thus, while expenditure disclosures have been posted along with this report on the Attorney General’s website, www.ago.vermont.gov, non-aggregate sample disclosures have not.

As always, amendments to laws complicate the comparison of data from year to year. This report is the third to reflect the implementation of the federal Physician Payments Sunshine Provision (§6002) of the Patient Protection and Affordable Care Act (Pub. L. No. 11-148) (“ACA”). Indeed, some of Vermont’s disclosure requirements are preempted by the ACA. For instance, Vermont may not require manufacturers to disclose allowable expenditures and permitted gifts to physicians because these items now must be reported to the federal government. However, Vermont’s disclosure laws are broader in scope than disclosures under the ACA in several ways. For example, only physicians and teaching hospitals are covered recipients under the federal law. Therefore, manufacturers are required to make all non-preempted disclosures regarding allowable expenditures and permitted gifts to other health care providers or other entities.

As a further complication, the federal law does not prohibit manufacturers from making preempted disclosures to states; it simply prohibits a state from requiring and enforcing preempted disclosures. Thus, some manufacturers voluntarily have reported to Vermont their

¹ The information that forms the basis of this report comes solely from the disclosures of prescribed product manufacturers. The recipients of the disclosed gifts, expenditures, and samples have not had the opportunity to review the disclosures or confirm their accuracy. Moreover, by publishing these disclosures, the Attorney General makes no representation as to their accuracy or the legality of the prescribed products or manufacturer’s underlying conduct.

expenditures to physicians; an increasing number of manufacturers have not. Because the disclosures to Vermont provide a less-than-full scope of the expenditure activity that took place in 2016, this report focuses on the data regarding samples distributed in Vermont, places less emphasis on the expenditure figures than in the past, and does not purport to compare expenditure data year-to-year.

Manufacturers

The disclosures for RY 2016 reveal that 170 manufacturers reported distributing 45,960 samples and spending approximately 4.6 million dollars² to Vermont health care providers, institutions and organizations. **Exhibit 1**. Only five manufacturers distributed 3,000 or more samples, and 79 manufacturers disclosed no sample activity at all. **Exhibit 1**.

The five manufacturers with the highest sample distribution during 2016 were: (1) GlaxoSmithKline, (2) Abbott Laboratories, (3) Allergan, (4) Pfizer, and (5) Alcon Laboratories. **Exhibits 1 and 2**. GlaxoSmithKline and Pfizer are the only manufacturers which have been in the top five for sampling for the past five years of sample reporting. **Exhibit 2**.

The percentage of samples reported by the top five manufacturers by samples distribution, as compared with the total number of samples reported by all manufacturers, was 57% in 2016 (compared with 54% in 2015, 53% in 2014, 60% in 2013, and 49% in 2012. **Exhibit 2**.

Recipients

The number of health care providers accepting at least 250 samples and the total number of samples accepted by them has decreased over the five years of sample reporting. In RY 2016, a total of 14 health care providers received 5,679 samples, a figure that has decreased markedly from Reporting Year 2012, when 43 health care providers received more than 21,000 samples. **Exhibit 3**.

A five-year review of health care providers who received 250 or more samples per reporting year shows that physicians specializing in internal medicine received the greatest number of samples each year. For RY 2016, those health care providers identified their specialties or credentials as internal medicine (2,609 samples), Optometrist (1,322), physician's assistant (1,077), and family practice (671 samples). **Exhibit 3**.

² As noted above, the ACA preempts Vermont from requiring disclosure of certain categories of expenditures and, as a result, this figure may not accurately reflect all Vermont expenditures. For instance, it may not include expenditures received by teaching hospitals and their physicians.

Products

As in years past, pharmaceuticals dominated the percentage of the total number of samples distributed at 69% of prescribed products sampled (compared with 56% in 2015, 92% in 2014, 73% in 2013, and 87% in 2012). **Exhibit 4.**

The top 50 products by sample distribution were associated with the delivery of between 226 and 5,022 samples each. Of those products, 40 (80%) were pharmaceuticals, 6 (12%) were infant formula, 3 (6%) were medical devices and 1 (2%) was medical food. The 10 products sampled most frequently in 2016 accounted for 16,591 samples, or 36% of all samples distributed in 2016. **Exhibits 1 & 5.**

Analyzing the RY 2016 primary indications of the 50 products with the greatest number of samples, the three most prevalent indications were asthma, infant feeding, and erectile dysfunction, which were associated with about 7,266, 3,404 and 2,863 samples respectively. **Exhibit 6.**

Samples

Of the nearly 46,000 samples distributed in RY 2016 (**Exhibit 1**), more than 29,000 (64%) contained products, over 13,000 (29%) contained vouchers or coupons for free or reduced-price products, and nearly 8,000 (17%) contained other items, such as educational materials, non-prescribed items and cases/holders. Approximately 3,140 (7%) samples included two kinds of items (product, vouchers or other), and 829 (2%) contained all three kinds of items. **Exhibit 7.**

II. Description of Vermont's Prescribed Product Gift Ban and Disclosure Law

The Vermont Legislature enacted the Pharmaceutical Marketing Disclosure Law in 2002, and has amended it periodically since then. In 2009, the legislature banned the distribution of most gifts and other expenditures, and mandated reporting of expenditures for biologics and medical devices, as well as expenditures relating to clinical trials and research, both effective with the FY11 report. The legislature also mandated reporting of the distribution of samples effective with the 2011 report. The law is now known as the Prescribed Products Gift Ban and Disclosure Law. Minor amendments were made to the law in other years, although the law has not been amended since 2013.

The law in effect for the activity described in this report required manufacturers of prescribed products to report to the Vermont Attorney General's Office "the value, nature, purpose, and recipient information" of allowable expenditures and permitted gifts and the "recipient, number of units, and dosage" of samples distributed to Vermont health care providers and institutions. 18 V.S.A. §§4632(a)(1), (2).

Many types of expenditures are banned in Vermont. In particular, the law bans manufacturers from giving gifts (including food), defined generally as “anything of value provided for free to a health care provider.” 18 V.S.A. §§ 4631a(a)(5), (b)(1). Only the allowable expenditures and permitted gifts detailed as follows are exempt from this ban:

Allowable Expenditures:

- some payments associated with qualifying conferences or seminars;
- some expenditures associated with qualifying clinical trials and research projects;
- payment or reimbursement of reasonable expenses associated with technical training on medical devices;
- royalties and licensing fees;
- payments related to interviews for an employment opportunity or for health care services for employees; and
- other reasonable economic benefits provided at fair market value.

18 V.S.A. § 4631a(a)(1).

Permitted Gifts:

- samples of prescribed products or reasonable amounts of some over-the-counter products for free distribution to patients;
- free prescription or over-the-counter product or financial donations given to free clinics;
- prescribed products distributed through manufacturer patient assistance programs;
- short-term loans of medical devices;
- reasonable quantities of medical device demonstration or evaluation units;
- educational materials;
- scholarships for medical students, residents and fellows to attend qualifying conferences or seminars;
- some fellowship salary support payments;
- rebates and discounts for prescribed products provided in the normal course of business;
- FDA-approved drug labels; and
- coffee or other snacks or refreshments at a booth at a conference or seminar.

18 V.S.A. § 4631a(b)(2).

The following allowable expenditures and permissible gifts are exempt from disclosure:

- royalties and licensing fees;
- rebates and discounts for prescribed products;
- certain payments relating to clinical trials;
- interviews of applicants or health care expenses of employees;
- coffee or other snacks or refreshments at a booth at a conference or seminar;

- certain loans of medical devices resulting in a purchase or lease of the device; and
- prescribed products distributed through patient assistance programs.

18 V.S.A. §§ 4632(a)(1)(A), (a)(1)(B).

In 2009, the legislature eliminated the trade secret exemption that manufacturers had been permitted to claim in the past and provided that the disclosures of the distribution of samples as well as other products may only be reported to the public in aggregate form. 18 V.S.A. §§4632(a)(1)(B), (a)(1)(D), (a)(5). Thus, while expenditure disclosures have been posted along with this report on the Attorney General’s Website, www.ago.vermont.gov, disclosures of the distribution of samples have not.

Research continues to show that healthcare professionals who receive payments or gifts from drug and device makers—even just a meal—prescribe a higher percentage of the brand name drugs being promoted. See, *inter alia*, DeJong, Colette et al., *Pharmaceutical Industry-Sponsored Meals and Physician Prescribing Patterns for Medicare Beneficiaries*, 176 JAMA Intern. Med. 1116, 1120- (2016); Ornstein, Charles et al., *Dollars for Doctors*, ProPublica, (Mar.17, 2016) <https://www.propublica.org/article/doctors-who-take-company-cash-tend-to-prescribe-more-brand-name-drugs>; etc. Because these findings support ongoing transparency efforts, some states may be looking to follow Vermont’s lead and adopt similar disclosure laws to curtail industry’s influence on prescribing patterns.

III. Enforcement

Vermont’s Prescribed Product Gift Ban and Disclosure Law requires the Attorney General to include in this annual report “[i]nformation on violations and enforcement actions” brought pursuant to the statute’s enforcement provision. 18 V.S.A. § 4632(a)(5)(B). For RY 2016, the Attorney General has several ongoing investigations into violations of the law. Copies of past settlements and payments received, can be found on the Attorney General’s Website: www.ago.vermont.gov.

IV. Conclusion

Vermont’s Prescribed Product Gift Ban and Disclosure Law continues to be an important public policy consideration in Vermont’s effort to contain prescription drug costs. Large pharmaceutical companies continue to dominate in sample distribution. The number of recipients who have received 250 or more samples has trended downward from 2012 to 2016. Vermont will continue to monitor manufacturer distribution of gifts and samples in its ongoing efforts to contain the rising cost of prescribed products.

Exhibit 1: Samples and Expenditures by Manufacturer, 2016

Rank by Number of Samples	Manufacturer	Number of Samples	Number of Expenditures**	Expenditure Total**
1	GlaxoSmithKline, LLC.	9024	35	\$65,573.76
2	Abbott Laboratories	4671	459	\$20,182.02
3	Allergan	4625	5	\$18,039.00
4	Pfizer	4400	25	\$665,136.64
5	Alcon Laboratories	3509	2	\$3,202.54
6	ASTRAZENECA	2859	201	\$298,225.80
7	Eli Lilly and Company	1986	47	\$980,052.00
8	Johnson & Johnson Vision Care	1511	2	\$3,208.00
9	CooperVision	1349		
10	Bristol-Myers Squibb Company	1057	12	\$21,692.00
11	Merck Sharp & Dohme Corporation	1051	134	\$273,977.38
12	Oticon	1008	57	\$9,363.67
13	Novo Nordisk	960	179	\$190,575.66
14	Depomed	927	9	\$35.00
15	Astellas Pharma US	875	21	\$11,000.00
16	Boehringer Ingelheim Pharmaceuticals	722	5	\$38,822.20
17	Janssen Pharmaceuticals	716	31	\$75,742.00
18	sanofi-aventis U.S.	615	15	\$19,391.24
19	Sunovion Pharmaceuticals	583		
20	Purdue Pharma	406		
21	Galderma Laboratories, L.P.	265	46	\$15,474.23
22	Shire North American Group	262	4	\$10,048.00
23	3M	199	2	\$96.78
24	AbbVie	164	107	\$96,587.00
25	Otsuka America Pharmaceutical	156	5	\$15.00
26	TEVA Pharmaceutical Industries	148		
27	LifeScan	145	4	\$1,156.93
28	Lundbeck LLC	143	45	\$5,920.00
29	Mission Pharmacal Company	139		
30	Mylan Specialty	135		

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Rank by Number of Samples	Manufacturer	Number of Samples	Number of Expenditures**	Expenditure Total**
31	MSD CORP	114		
32	Iroko Pharmaceuticals, LLC	107	56	\$19,444.00
33	WYETH/PFIZER	94		
34	Ortho Clinical Diagnostics	66	1	\$108.05
35	Bayer HealthCare Pharmaceuticals	61	24	\$65,207.00
36	Amgen	54	64	\$46,583.48
37	Cardinal Health	51		
T-38	Shionogi	45	9	\$18.14
T-38	Peter Brasseler Holdings	45		
40	Henry Schein	42	12	\$119,807.94
41	Roche Diabetes Care	40		
T-42	Regeneron Pharmaceuticals	37	10	\$4,746.94
T-42	Alkermes	37	7	\$2,362.63
T-44	Medtronic plc	36	126	\$23,030.60
T-44	MSD Oss B.V. a subsidiary of Merck & Co.	36		
46	Becton Dickinson	32	5	\$2,439.42
T-47	Genentech	26	8	\$134,449.15
T-47	Ferring Pharmaceuticals	26	11	\$34,657.69
49	Cook Medical	25	1	\$2,971.36
50	Concordia Pharmaceuticals	23		
T-51	Nestle HealthCare Nutrition	22		
T-51	Terumo Medical	22		
T-53	MEDAC PHARMA	21	2	\$2.95
T-53	DeRoyal Industries	21		
T-55	Boston Scientific Corporation	18	3	\$6,096.28
T-55	Mylan Pharmaceuticals	18	4	\$1,465.58
57	Genzyme Corporation	16	5	\$11,111.50
T-58	Novartis Pharmaceuticals Corporation	15	56	\$8,532.64
T-58	Aralez Pharmaceuticals US	15		
T-58	Insulet Corporation	15		

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Rank by Number of Samples	Manufacturer	Number of Samples	Number of Expenditures**	Expenditure Total**
61	DENTSPLY SIRONA SIRONA	13		
T-62	B. Braun Medical	12	1	\$12.18
T-62	PRESTIUM PHARMACEUTICALS	12		
T-64	Gilead Sciences	11	6	\$56,607.95
T-64	Ironwood Pharmaceuticals	11		
T-66	Avanir Pharmaceuticals	10	26	\$131,198.12
T-66	Coloplast Corp.	10		
T-66	Janssen Biologics	10		
69	Hevert Pharmaceuticals	9		
T-70	Hollister Incorporated	8		
T-70	Merit Medical Systems	8		
T-70	Vascular Solutions	8		
73	Valeant Pharmaceuticals International	7	3	\$4,159.00
T-74	Endo Pharmaceuticals	5		
T-74	Meda Pharmaceuticals	5		
T-76	LEO Pharma	4	1	\$1,500.00
T-76	Animas Corporation	4	1	\$1,446.71
T-76	Exelixis	4	1	\$1,000.00
T-76	ACADIA Pharmaceuticals	4	5	\$15.00
80	CONMED Corporation	3		
81	PuraCap Pharmaceutical	2		
T-82	Ipsen Biopharmaceuticals	1	6	\$8,692.30
T-82	Molnlycke Health Care US, LLC	1	14	\$3,090.00
T-82	Otonomy	1	4	\$55.00
T-82	ARBOR PHARMACEUTICAL	1		
T-82	Northeastern Vermont Regional Hospital	1		
T-82	Pamlab	1		
T-82	Rutland Regional Medical Center	1		
T-82	SAGENT PHARMACEUTICALS	1		
T-82	Southwestern Vermont Medical Hospital	1		

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Rank by Number of Samples	Manufacturer	Number of Samples	Number of Expenditures**	Expenditure Total**
T-82	UCB	1		
*	Biogen		146	\$214,627.04
*	DePuy Orthopaedics		108	\$205,824.00
*	Braeburn Pharmaceuticals		11	\$87,537.45
*	Lilly USA LLC		2	\$84,862.00
*	Biosense Webster		4	\$51,732.00
*	Stryker Corporation		71	\$44,546.36
*	Millennium Pharmaceuticals		3	\$38,522.00
*	Grifols USA, LLC		8	\$37,105.85
*	Takeda Pharmaceuticals America		13	\$32,355.01
*	Celgene Corporation		2	\$30,174.00
*	Theravance Biopharma		15	\$26,955.00
*	Janssen Biotech		13	\$21,839.00
*	Zimmer Biomet Holdings		3	\$19,749.00
*	Eisai		5	\$18,435.00
*	VERTEX PHARMACEUTICALS INCORPORATED		5	\$18,113.70
*	St. Jude Medical		65	\$17,412.85
*	Ethicon		41	\$10,214.09
*	Starkey Hearing Technologies		6	\$9,450.00
*	Medline Industries		68	\$9,187.91
*	Olympus Corporation of the Americas		18	\$8,987.00
*	Bio-Rad Laboratories		28	\$8,214.16
*	Janssen Research & Development, LLC		7	\$7,696.00
*	Roche Health Solutions		27	\$7,362.84
*	Janssen Therapeutics		8	\$7,097.00
*	GE Healthcare		16	\$6,787.45
*	Mallinckrodt Pharmaceuticals		4	\$6,650.00
*	Incyte Corporation		3	\$6,441.00
*	Mylan Specialty L.P.		52	\$6,178.01
*	Draeger Medical Systems		4	\$6,000.00

Exhibit 1: Samples and Expenditures by Manufacturer, 2016

Rank by Number of Samples	Manufacturer	Number of Samples	Number of Expenditures**	Expenditure Total**
* 1	Smith & Nephew		27	\$5,388.52
* 2	McKesson Technologies		11	\$5,145.00
* 3	Sanofi Pasteur		35	\$4,754.90
* 4	Philips Electronics North America Corporation		2	\$4,746.48
* 5	Hill-Rom Company		7	\$4,335.73
* 6	Edwards Lifesciences		11	\$4,318.00
* 7	Acclarent		4	\$4,285.00
* 8	Pharmacyclics LLC, An AbbVie Company		5	\$4,050.40
* 9	KARLSTORZ Endoscopy-America		145	\$3,650.00
* 10	MEDIMMUNE		2	\$2,909.00
* 11	Intuitive Surgical		13	\$2,718.00
* 12	Straumann Manufacturing		1	\$2,665.85
* 13	KCI USA		28	\$2,621.00
* 14	Teleflex Incorporated		8	\$2,326.45
* 15	Afaxys		1	\$1,989.44
* 16	Baxalta US		1	\$1,837.00
* 17	Jazz Pharmaceuticals		5	\$1,749.11
* 18	Integra LifeSciences Corp - ILS US		20	\$1,596.95
* 19	Arthrex		9	\$1,558.00
* 20	LDR Spine USA		11	\$1,495.25
* 21	Sun Pharmaceutical Industries		6	\$973.49
* 22	ViiVHealthcare		1	\$862.83
* 23	Mentor Worldwide LLC		1	\$844.00
* 24	Myriad Genetic Laboratories		1	\$796.00
* 25	Halyard Health		4	\$712.90
* 26	EndoChoice		1	\$690.00
* 27	Cochlear Americas		10	\$649.00
* 28	McKesson Medical-Surgical Minnesota Supply		1	\$500.00
* 29	VVIUS		1	\$409.25
* 30	Emergent Biosolutions		1	\$397.50

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Rank by Number of Samples	Manufacturer	Number of Samples	Number of Expenditures**	Expenditure Total**
* 1	Wright Medical Technology		1	\$340.05
* 2	W.L. Gore & Associates		1	\$300.00
* 3	Daiichi Sankyo		6	\$284.30
* 4	Medivation		3	\$278.00
* 5	Corcept Therapeutics		9	\$195.64
* 6	Indivior		107	\$135.00
* 7	McKesson Medical-Surgical		1	\$74.33
* 8	Mylan Institutional		1	\$55.60
* 9	Seattle Genetics		7	\$41.76
* 10	ASCEND Therapeutics US, LLC		33	\$26.06
* 11	Valeritas		2	\$24.00
* 12	Merz North America		1	\$23.60
* 13	Retrophin		9	\$14.65
* 14	CooperSurgical		1	\$10.29
* 15	NeoTract		1	\$9.25
* 16	Relypsa		2	\$1.20
* 17	ConvaTec		1	\$1.00
* 18	TOLMAR Pharmaceutical		1	\$0.98
* 19	Universal Hospital Services		1	\$0.00
* 20	Astute Medical		4	\$0.00

Totals:

45,960

3,245

\$4,637,174.94

* Manufacturer did not disclose any samples.

** Note that because the Affordable Care Act partially preempts Vermont's ability to require expenditure disclosures, the data in these columns is incomplete.

Exhibit 2: Top Five Manufacturers with Most Samples, 2012-2016

Rank by Number of Samples	2012	2013	2014	2015	2016
1	AstraZeneca	AstraZeneca	Pfizer	GlaxoSmithKline	GlaxoSmithKline
2	GlaxoSmithKline	GlaxoSmithKline	GlaxoSmithKline	Abbott Laboratories	Abbott Laboratories
3	Eli Lilly	Pfizer	AstraZeneca	Pfizer	Allergan
4	Pfizer	Allergan	Forest Laboratories	Alcon Laboratories	Pfizer
5	Forest Pharmaceuticals	Abbott Laboratories	Eli Lilly and Company	Astrazeneca	Alcon Laboratories
Number of Samples for Top 5 Manufacturers	35,864	32,172	23,914	29,356	26,229
Percentage of Overall Sample Total Attributable to Top 5 Manufacturers	49%	60%	53%	54%	57%

Exhibit 3: Samples by Specialty or Credential for Individual Health Care Providers who Received 250 or More Samples, 2012-2016

Specialty or Credential	2012		2013		2014		2015		2016	
	# of Samples	Rank	# of Samples	Rank	# of Samples	Rank	# of Samples	Rank	# of Samples	Rank
Internal Medicine	8,363	1	7,763	1	3,497	1	3,529	1	2,609	1
Optometrist	359	8	1,225	4					1,322	2
Physician Assistant	2,597	3	1,565	3	1,230	3	1,601	2	1,077	3
Family Practice	6,086	2	4,720	2	2,721	2	1,554	3	671	4
No Specialty							1,027	4		
Cardiovascular Disease	809	5	574	7	390	4	402	5		
Endocrinology Diabetes and Metabolism	404	7	377	8	259	5	261	6		
Advanced Practice Registered Nurse (APRN)	626	6	900	5			260	7		
Critical Care Medicine	1,158	4	680	6						
Allergy and Immunology	255	11	263	9						
Ophthalmology			257	10						
Psychiatry	275	9	252	11						
Pediatrics	270	10								

Total Number of Samples:	21,202	18,576	8,097	8,634	5,679
Total Recipients:	43	40	18	21	14

Note: In 2012 the Vermont Legislature amended the Prescribed Product Gift Ban and Disclosure Law to exempt prescription eyewear.

Exhibit 4: Samples and Expenditures by Product Type, 2016

Product Type	Number of Samples	Percent Number of Samples	Number of Expenditures	Percent Number of Expenditures	Expenditure Total*	Percent Expenditure Total
Pharmaceuticals	36,598	69.34%	2,056	43.65%	\$4,651,338.77	65.75%
Biologics	270	0.51%	352	0.074734607	\$1,204,801.65	17.03%
Medical Devices	7,513	14.23%	2,280	48.41%	\$1,126,876.87	15.93%
Combination Product	352	0.67%	22	0.004670913	\$91,407.27	1.29%
Infant Formula	6,489	12.29%	0	0.00%	\$0.00	0.00%
Medical Equipment/Supplies	1,108	2.10%	0	0.00%	\$0.00	0.00%
Medical Food	454	0.86%	0	0	\$0.00	0.00%

Totals **52,784** **4,710** **\$7,074,424.57**

Note: This Exhibit is meant to show only the proportional breakdown of expenditures and samples by product type. For purposes of this Exhibit, when manufacturers disclosed an expenditure in connection with several different products, or a sample containing several products, the Attorney General's Office assigned the expenditure or sample to each of the products disclosed with the expenditure or sample.

*Note that because the Affordable Care Act partially preempts Vermont's ability to require expenditure disclosures, the data in these columns is incomplete.

Exhibit 5: Top Products - 50 Products with Greatest Number of Samples, 2016

Rank	Product Name	Manufacturer	Product Type	Primary Indication	Number of Samples
1	ADVAIR	GlaxoSmithKline	Pharmaceuticals	Asthma	5,022
2	ELIQUIS	Bristol Myers Squibb Company;	Pharmaceuticals	Stroke	2,687
3	FLOVENT	GlaxoSmithKline	Pharmaceuticals	Asthma	1,351
4	VIAGRA	Pfizer	Pharmaceuticals	Erectile Dysfunction	1,344
5	Sim Sens NonGMO 7.6OZ Pwd	Abbott Laboratories	Infant Formula	Infant Formula	1,113
6	Nexium	Astrazeneca; Pfizer	Pharmaceuticals	Gastroesophageal Reflux Disease (GERD)	1,109
7	Cialis	Eli Lilly and Company	Pharmaceuticals	Erectile Dysfunction	1,101
8	Hearing Aid Accessory	Oticon, Inc	Medical Devices	Hard of Hearing	1,008
9	O-F PM 20Z Starter Kit - US	Alcon Laboratories	Medical Devices	Eye Care	963
10	SYMBICORT	ASTRAZENECA	Pharmaceuticals	Asthma	893
11	BREO	GlaxoSmithKline	Pharmaceuticals	Chronic Obstructive Pulmonary Disease (COPD)	852
12	LYRICA	Pfizer	Pharmaceuticals	Neuropathic Pain	810
13	Similac Advanced Non-GMO	Abbott Laboratories	Infant Formula	Infant Formula	746
14	CCARE+W/HYDRAGLYDE 3OZ SK/L	Alcon Laboratories	Medical Devices	Eye Care	694
15	ANORO	GlaxoSmithKline	Pharmaceuticals	Chronic Obstructive Pulmonary Disease (COPD)	634
16	Xarelto	Janssen Pharmaceuticals; LifeScan	Pharmaceuticals	Deep Vein Thrombosis	615
17	Linzess	Allergan; Ironwood Pharmaceuticals	Pharmaceuticals	Irritable Bowel Syndrome	550
18	REFRESH	Allergan	Pharmaceuticals	Eye Care	549
19	BYSTOLIC	Allergan	Pharmaceuticals	Hypertension	540
20	Myrbetriq	Astellas Pharma US	Pharmaceuticals	Overactive Bladder	523
21	LATUDA	Sunovion Pharmaceuticals	Pharmaceuticals	Schizophrenia	511
22	SIM ALIMENTUM 7OZ PWD	Abbott Laboratories	Infant Formula	Infant Formula	506
23	Nucynta	Depomed	Pharmaceuticals	Pain	476
24	Pedialyte	Abbott Laboratories	Infant Formula	Infant Formula	465
25	CRESTOR	ASTRAZENECA	Pharmaceuticals	Hypercholesterolemia	452
26	LEVITRA	GlaxoSmithKline	Pharmaceuticals	Erectile Dysfunction	418
27	PdSure 8oz btl Ped Kit	Abbott Laboratories	Medical Food	Nutrition	400
28	Humalog	Eli Lilly and Company	Pharmaceuticals	Diabetes	386
29	Strattera	Eli Lilly and Company	Pharmaceuticals	ADHD	374
30	VIBERZI	Allergan	Pharmaceuticals	Irritable Bowel Syndrome	368
31	Zipsor	Depomed	Pharmaceuticals	Pain	365
32	INCRUSE	GlaxoSmithKline	Pharmaceuticals	Chronic Obstructive Pulmonary Disease (COPD)	359
33	VIIBRYD	Allergan	Pharmaceuticals	Major Depressive Disorder	348
34	Vesicare	Astellas Pharma US	Pharmaceuticals	Overactive Bladder	346
35	OXYCONTIN	Purdue Pharma	Pharmaceuticals	Pain	344
36	Lantus	sanofi aventis U.S.	Pharmaceuticals	Diabetes	333
37	LUMIGAN	Allergan	Pharmaceuticals	Glaucoma	331
38	Invokana	Janssen Pharmaceuticals; LifeScan	Pharmaceuticals	Diabetes	303

Exhibit 5: Top Products - 50 Products with Greatest Number of Samples, 2016

Rank	Product Name	Manufacturer	Product Type	Primary Indication	Number of Samples
39	COMBIGAN	Allergan	Pharmaceuticals	Glaucoma	302
40	Sim Ttl Comfort 7.6oz Pwd	Abbott Laboratories	Infant Formula	Infant Formula	298
41	VRAYLAR	Allergan	Pharmaceuticals	Schizophrenia	297
42	Rexulti	Lundbeck; Otsuka America	Pharmaceuticals	Major Depressive Disorder	296
43	NovoLog	NOVO NORDISK	Pharmaceuticals	Diabetes	290
44	Similac Tolerance	Abbott Laboratories	Infant Formula	Infant Formula	276
45	Spiriva Respimat	Boehringer Ingelheim	Pharmaceuticals	Chronic Obstructive Pulmonary Disease (COPD)	274
46	JANUVIA	Merck Sharp & Dohme Corp	Pharmaceuticals	Diabetes	262
47	SEROQUEL XR	ASTRAZENECA	Pharmaceuticals	Schizophrenia	256
48	Pazeo	Alcon Laboratories	Pharmaceuticals	Eye Care	248
49	Levemir®	NOVO NORDISK	Pharmaceuticals	Diabetes	241
50	TOUJEO	sanofi aventis U.S.	Pharmaceuticals	Diabetes	226

Exhibit 6: Samples by Primary Indication of the top 50 Products with the Greatest Number of Samples, 2012 - 2016

Primary Indication	2012		2013		2014		2015		2016	
	# of Samples	Rank	# of Samples	Rank	# of Samples	Rank	# of Samples	Rank	# of Samples	Rank
Asthma	7,017	2	8,480	1	4,497	1	3,223	3	7,266	1
Infant Feeding (Infant Formula)			2,029	9			17,661	1	3,404	2
Erectile Dysfunction	5,308	3	1,788	13	3,610	2	2,876	5	2,863	3
Stroke			1,348	14	1,175	12	5,212	2	2,687	4
Eye Care	1,034	17	1,861	11	875	18	3,058	4	2,454	5
Chronic Obstructive Pulmonary Disease	2,011	9	2,483	7	767	19	1,705	6	2,119	6
Diabetes	3,014	7	3,306	4	2,376	4	286	24	2,041	7
Pain			771	21	957	17	809	9	1,185	8
Gastroesophageal Reflux Disease (GERD)	2,994	8	3,128	5	1,372	8	500	16	1,109	9
Bipolar Disorder and/orSchizophrenia	4,516	4	2,083	8	2,547	3	848	8	1,064	10
Hard of Hearing									1,008	11
Irritable Bowel Syndrome			869	18	676	22	596	12	918	12
Overactive Bladder	1,678	11	489	26	434	24			869	13
Neuropathic Pain	997	18	882	17	706	21	721	11	810	14
Major Depressive Disorder					1,098	15	506	15	644	15
Glaucoma					297	28			633	16
Deep Vein Thrombosis									615	17
Hypertension	4,054	6	2,805	6	1,668	6	591	13	540	18
Hypercholesterolemia									452	19
Nutrition									400	20
ADHD	1,496	13	862	19	1,304	11	356	21	374	21
Acute Coronary Syndrome										
Allergic Rhinitis	837	20	651	24	348	26				
Alzheimer's Disease	1,545	12	684	23						
Antipsychotic										
Blood Glucose Testing	491	24	1,789	12	1,310	10	543	14		
Bronchospasm	546	23	732	22	1,073	16				
Chronic Idiopathic Constipation							337	22		
Depressive Disorder	7,721	1	1,874	10	1,105	14	366	20		
Erosive Esophagitis	1,476	14	836	20	721	20	740	10		
Fibromyalgia	1,339	15								

Exhibit 6: Samples by Primary Indication of the top 50 Products with the Greatest Number of Samples, 2012 - 2016

Primary Indication	2012		2013		2014		2015		2016	
	# of Samples	Rank	# of Samples	Rank	# of Samples	Rank	# of Samples	Rank	# of Samples	Rank
Gout	1,053	16	1,228	16	1,127	13	471	17		
Hyperlipidemia	4,204	5	4,970	2	2,099	5	1,050	7		
Hypothyroidism										
Infant Care							292	23		
Insomnia	597	22					385	19		
Migraine Headaches	663	21								
Myocardial Infarction Preventative										
Nonvalvular Atrial Fibrillation					351	25				
Osteoarthritis	1,836	10	1,276	15	1,503	7	436	18		
Philadelphia Chromosome Positive Chronic Myeloid Leukemi	391	27								
Primary Hypogonadism	479	25								
Reversible Obstructive Airway Disease					333	27				
Smoking Cessation	449	26			477	23	256	25		
Various: Multiple Products	950	19	3,378	3	1,336	9				

Totals:	58,696	50,602	36,142	43,824	33,455
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Exhibit 7: Contents of Sample by Category, 2012-2016

2012		2013		2014		2015		2016	
Product		Product		Product		Product		Product	
Product Only	48,607	Product Only	46,862	Product Only	28,786	Product Only	29,607	Product Only	25,990
Product and Vouchers	893	Product and Vouchers	105	Product and Vouchers	994	Product and Vouchers	703	Product and Vouchers	1,984
Product and Other	2,946	Product and Other	2,107	Product and Other	786	Product and Other	720	Product and Other	734
Product, Vouchers and Other	910	Product, Vouchers and Other	1,112	Product, Vouchers and Other	17	Product, Vouchers and Other	4,216	Product, Vouchers, and Other	829
Total	53,356	Total	50,186	Total	30,583	Total	35,246	Total	29,537
Vouchers		Vouchers		Vouchers		Vouchers		Vouchers	
Vouchers Only	15,446	Vouchers Only	16,361	Vouchers Only	12,858	Vouchers Only	9,804	Vouchers Only	10,043
Vouchers and Product	893	Vouchers and Product	105	Vouchers and Product	994	Vouchers and Product	703	Vouchers and Product	1,984
Vouchers and Other	336	Vouchers and Other	246	Vouchers and Other	243	Vouchers and Other	873	Vouchers and Other	419
Vouchers, Product and Other	910	Vouchers, Product and Other	1,112	Vouchers, Product and Other	17	Vouchers, Product and Other	4,216	Vouchers, Product, and Other	829
Total	17,585	Total	17,824	Total	14,112	Total	15,596	Total	13,275
Other		Other		Other		Other		Other	
Other Only	3,617	Other Only	1,164	Other Only	1,865	Other Only	7,821	Other Only	5,961
Other and Vouchers	336	Other and Vouchers	246	Other and Vouchers	243	Other and Vouchers	873	Other and Vouchers	419
Other and Product	2,946	Other and Product	2,107	Other and Product	786	Other and Product	720	Other and Product	734
Product, Vouchers and Other	910	Product, Vouchers and Other	1,112	Product, Vouchers and Other	17	Product, Vouchers and Other	4,216	Other, Vouchers, and Product	829
Total	7,809	Total	4,629	Total	2,911	Total	13,630	Total	7,943