

September 13, 2021

Congressman Frank Pallone, Jr.
Chairman
Energy & Commerce Committee
2125 Rayburn House Office Building
Washington, DC 20515

Congresswoman Cathy McMorris Rodgers
Ranking Member
Energy & Commerce Committee
2322 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Pallone and Ranking Member McMorris Rodgers,

The undersigned organizations write to voice our concern and opposition to the inclusion of policies like H.R. 3 in the upcoming reconciliation package.

The legislation and other reference pricing policies threaten to significantly reduce the number of medicines available to treat and cure disease. A recent study on the impact of H.R. 3 found that its passage would likely lead to [61 fewer medicines](#) over 10 years. These products most likely will be the most innovative and curative medicines and vaccines the world has ever seen, which would be a significant loss to society and global health.

Proponents of these policies grossly simplify them as ‘negotiation’ proposals, without acknowledging that Medicare Part D plans effectively negotiate with pharmaceutical manufacturers and pharmacies to keep premiums and costs low, and access to medications high. As a result, Part D is a highly successful program that has come in under budget with premiums well below initial CBO projections. Congress was careful to protect patient access when constructing Part D. For example, the law requires robust formularies including at least two drugs per class, rigid pharmacy and therapeutics committee approval of medicines, and appeal rights for patients.

H.R. 3 threatens to upend this carefully designed structure by unraveling a successful benefit for seniors and replacing it with government price setting mechanisms used abroad to restrict patient access to needed health care interventions and treatments. CBO has repeatedly said allowing HHS to negotiate will not lower costs without additional restrictions on patient access. In fact, limiting access to medicine will accelerate disease progression, sicker patients, and higher costs

While rising healthcare costs must be addressed, our organizations support policies that promote competition and transparency, which foster more affordable options and improved access for patients in need. H.R. 3 does not meet that mark. Instead, it will limit access to a variety of medicines and stifle future medical advancement at a time when access and increased patient choice is paramount.

Lawmakers must not choose to sacrifice innovation, access, and the quality of our healthcare in the name of government savings. We urge you to reject reforms that limit patient access or that rely on international or domestic price controls as the Committee evaluates H.R. 3 or similar proposals.

Sincerely,

America’s Business Benefit Association
Coalition of Texans with Disabilities
Coalition of Wisconsin Aging and Health Groups

Color of Crohn's and Chronic Illness
Communicating for America, Inc.
Consumer Action for a Strong Economy
Conservatives for Property Rights
Council for Affordable Health Coverage
debra of America
Global Colon Cancer Association
Healthcare Leadership Council
HIV + Hepatitis Policy Institute
International Cancer Advocacy Network
Illinois Biotechnology Innovation Organization
MLD Foundation
National Taxpayers Union
Noah's Hope- Hope4Bridget Foundation
Rare Access Action Project
Small Business & Entrepreneurship Council
SYNGAP1 Foundation
The Ryan Foundation
Taylor's Tale