

May 8, 2015

The Honorable Fred Upton
Chairman
Committee on Energy & Commerce
U.S. House of Representatives
Washington, DC 20515

The Honorable Frank Pallone, Jr.
Ranking Member
Committee on Energy & Commerce
U.S. House of Representatives
Washington, DC 20515

The Honorable Diana DeGette
Committee on Energy & Commerce
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Upton, Ranking Member Pallone, and Representative DeGette:

As health care stakeholders representing diverse organizations, we share your goal of accelerating the discovery, development, and delivery of promising new drugs to patients in the United States through the 21st Century Cures initiative, and we commend you for your work toward achieving this important objective.

Generic medicines are the backbone of America's pharmaceutical market, bringing more than one trillion dollars in savings to the U.S. healthcare system over the past decade and assuring patient access to life-saving cures. The competition provided by generic drugs is also vital in spurring innovation and research into new cures. It is critical that this initiative maintains the balance of Hatch-Waxman and avoids delaying patient access to lower cost generics.

We commend the recently released new draft legislation for recognizing and preserving that important balance, and ensuring continued access to generic medicines. We were concerned by a number of provisions in the previous draft legislation that would have granted additional exclusivity and threaten generic competition. In particular, the Dormant Therapies provision would have created a substantial barrier to patient access to life-saving generic medicines for a large number of drugs.

As you continue your work on the 21st Century Cures legislation in the coming weeks, we urge you to maintain the important balance between access and innovation of Hatch-Waxman. We urge you not to include increases in exclusivity for brand manufacturers that would have the effect of burdening consumers, large and small businesses, and state and federal governments with unnecessary increased prescription drug costs through delayed generic and biosimilar entry.

We look forward to continuing to work with you on the 21st Century Cures initiative. Thank you for the consideration of our views.

Sincerely,

AARP

Academy of Managed Care Pharmacy (AMCP)

AFL-CIO

American Association of Colleges of Pharmacy (AACP)

CVS Health

Families USA

Healthcare Supply Chain Association (HSCA)

National Coalition on Health Care (NCHC)

Ohio Public Employees Retirement System (OPERS)

Public Sector Health Care Roundtable

Prime Therapeutics

UAW Trust

US PIRG

CC:

The Honorable Joe Pitts, Chairman, Subcommittee on Health

The Honorable Gene Green, Ranking Member, Subcommittee on Health