

H.R. 19, THE LOWER COSTS, MORE CURES ACT

Americans pay too much for prescription drugs and it's not right – Congress needs to step up. We have bipartisan solutions that **can become law in 2019** and will lower costs at the drug counter for patients and seniors.

The **Lower Costs, More Cures Act** uses bipartisan reforms to lower out-of-pocket spending, protect access to new medicines and cures, strengthen transparency and accountability, and champion competition. Every single provision is bipartisan.

Meanwhile, Speaker Pelosi's partisan drug pricing scheme is not only bad policy, it's never going to become law. We're all here to get things done for the American people, so let's get this done, and let's do it now.

What H.R. 19 Does:

- **Encourages innovation of groundbreaking new cures, promotes more low-cost options for patients, and curbs how drug companies can game of the system.**
 - Prevents drug manufacturers from withholding samples of their drugs in order to delay patients' access to generic competition.
 - Stops "pay for delay" agreements in which the brand-name drug manufacturer pays the generic manufacturer to keep a generic equivalent off the market.
 - Ends gaming of the patent system, including preventing drug manufacturers from receiving additional patent exclusivity periods for drugs newly deemed biologics; clarifying that in order to get new exclusivities, all orphan drugs must prove clinical superiority to a previous version of the drug already on the market; and limiting the potential for "evergreening" by restricting drug manufacturers from obtaining new exclusivities on previously approved clinical entities.
 - Allows FDA authority to approve multiple generic applications of the same drug, resulting in more generic competition, and speeding cures to market.
 - Increases transparency into patent listings so generic and biosimilar manufacturers have the information needed in order to enter the market.
 - Provides new authorities to FDA to create a more streamlined approach to the regulation of over-the-counter products, increasing the availability of these products, which will lower costs for consumers.

- **For the first time ever, places a cap on seniors' out-of-pocket drug costs and allows seniors to manage their annual out-of-pocket spending.**
 - Creates a new \$3,100 per year out-of-pocket maximum on prescription drugs costs for Medicare beneficiaries in Part D.
 - Includes a "smoothing" mechanism that would allow seniors to distribute their out-of-pocket expenses throughout the calendar year. This minimizes the impact of prescription drug costs on seniors with fixed incomes.

- *Cuts out-of-pocket spending for seniors getting infused drugs, like chemotherapy, by capping the maximum reimbursement, addressing perverse incentives that lead to using higher cost drugs and equalizing the payment of the administration of those drugs across sites of service.*
- **Makes insulin more affordable.**
 - *Requires insurance companies to cap the cost of insulin for seniors in Medicare Part D at \$50 a month after they've paid their deductible.*
- **Increases transparency and removes uncertainty at the pharmacy counter.**
 - *Requires insurance companies to make information about drug costs available in the doctor's office before a prescription is written, so patients know the cost and so doctors can prescribe the medicine that is best and the cheapest for them before heading to the pharmacy.*
 - *Expands online cost estimate tools, so patients and seniors can shop around and better know how much they'll have to pay for their treatment before they set their appointment.*
- **Cuts the cost of drug administration, including cancer treatment, for Medicare beneficiaries by as much as half.**
 - *Under Medicare, private oncology practices are paid about \$144 for the most common chemotherapy treatment, but the payment rate for the same exact service by a hospital-owned physician practice is double that at \$288. Medicare beneficiaries should not have to pay double for their cancer treatment simply because of where they get treatment.*
 - *By paying for quality, not the site of service, oncology treatment can be delivered at half the cost to cancer patients.*
- **Stops subsidizing other developed countries' health care through stronger trade agreements.**
 - *Establishes a new negotiator at the United States Trade Representative to advocate for the American consumer and make sure other countries aren't treating our innovators unfairly.*

When we work together, we can find common ground to reform the drug industry, create more choice, and bring down costs for Americans. The Lower Costs, More Cures Act is the bipartisan solution to addressing the high cost of prescription drugs and it can be signed into law this year. Let's get this done for the American people.