

April 16, 2018

The Honorable Susan Collins
United States Senate
413 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Claire McCaskill
United States Senate
503 Hart Senate Office Building
Washington, D.C. 20510

The Honorable John Barrasso
United States Senate
307 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Bill Cassidy
United States Senate
520 Hart Senate Office Building
Washington, DC 20510

The Honorable Debbie Stabenow
United States Senate
731 Hart Senate Office Building
Washington, DC 20510

Dear Senators Collins, McCaskill, Barrasso, Cassidy, and Stabenow,

On behalf of the patient and provider organizations listed below, all of which are members of the Coalition for Accessible Treatments, we write in support of the bipartisan Patient Right to Know Drug Prices Act (S. 2554), which would prohibit health plans offered through the exchanges or by private employers from using so-called gag clauses that can be used to prohibit the disclosure of pricing options to patients.

We are also supportive of legislation you introduced with Senator Wyden, the Know the Lowest Price Act (S. 2553). The bill would similarly afford protections for patients enrolled in Medicare Advantage plans and Medicare Prescription Drug Plans.

As you know, some pharmacists are required to sign “gag orders,” which typically apply to generics and prevent the patient from making the cheaper choice of paying out-of-pocket rather than paying a higher co-payment. In fact, in some cases if a patient were to pay the cash price, they would pay less for their medication than if they used their health insurance. However, a pharmacist that has signed a gag order would be prohibited from informing a patient of this option.

Research published earlier this month in the *Journal of the American Medical Association* found that overpayments affected 23 percent of prescriptions filled out of the nearly 10 million claims that were evaluated. The study also calculated that these overpayments totaled \$135 million in 2013.

Thank you for your leadership. It is critical that patients are made aware of payment options at the pharmacy counter and understand whether utilizing insurance or paying out-of-pocket would provide the most savings to purchase needed medication. We look forward to working with you on these and other important access issues affecting patients with chronic diseases.

Sincerely,

The AIDS Institute
American Academy of Dermatology Association
American Academy of Neurology
American Autoimmune Related Diseases Association
American College of Rheumatology
Arthritis Foundation
Hematology/Oncology Pharmacy Association
Leukemia & Lymphoma Society
Lupus and Allied Diseases Association, Inc.
National Psoriasis Foundation
Sjögren's Syndrome Foundation