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May 8, 2019

The Honorable Nancy Pelosi, Speaker
U.S. House of Representatives
Office of the Democratic Leader
H-204, US Capitol
Washington, DC 20515

Dear Madam Speaker:

On behalf of the more than 2 million retirees and future retirees represented by the National Retiree Legislative Network (NRLN), I am requesting that you call for a vote in the House on two bills. **H.R. 938**, BLOCKING Act of 2019 (Bringing Low-Cost Options and Competition while Keeping Incentives for New Generics Act of 2019) and **H.R. 1499**, Protecting Consumer Access to Generic Drugs Act of 2019.

H.R. 938 has been approved by the Committee on Energy and Commerce's Subcommittee on Health and by the Full Committee. Passing this bill would lower prescription drug prices by increasing competition in the generic drug market.

Current law awards 180 days of exclusivity on the market to a drug manufacturer when they are the first to file a generic drug application with the FDA for a drug for which there is no generic. The 180 days begins once the manufacturer starts marketing the drug, but even before the manufacturer begins marketing, all other generic competitors are blocked from coming to market. This allows some manufacturers to "park" the exclusivity before receiving final approval, blocking competition for more than the 180 days intended by the law.

H. R. 938 would stop first generic drug "parking." Under the BLOCKING Act, if a second generic drug application is blocked from receiving approval solely due to a first generic drug manufacturer "parking" their exclusivity at the tentative approval stage, the 180 days immediately begins to run, preventing limitless delays for other generics to come to the market.

H.R. 1499 has also been approved by the Committee on Energy and Commerce's Subcommittee on Health and by the Full Committee. Passing this bill will prohibit the practice of "pay-for-delay," in which brand name drug companies compensate generic drug makers to delay the entry of generic drugs into the market. This practice leads to decreased competition and increased drug prices for Americans.

According to a Federal Trade Commission study, these types of anti-competitive deals cost Americas \$3.5 billion in higher drug prices every year. **H. R. 1499** prohibits these anti-competitive agreements for both new drugs and biological products and creates a civil penalty to further discourage “pay-for-delay” agreements between name brand drug companies and generic drug makers.

To learn more about why the NRLN supports **H.R. 938** and **H.R. 1499**, please ask a member of your staff to contact me or Alyson Parker, the NRLN’s Executive Director in Washington, DC at 813-545-6792 or executivedirector@nrln.org.

The NRLN’s full Legislative Agenda and detailed whitepapers can be found at www.nrln.org. Your consideration on these issues would be appreciated.

Sincerely,

A handwritten signature in dark ink that reads "Bill Kadereit". The signature is written in a cursive, slightly slanted style.

President, National Retiree Legislative Network

Phone: 972-722-5928

Email: president@nrln.org