

June 16, 2009

Dear Senator/Representative:

On behalf of millions of consumers, workers, patients, employers, insurers and health care companies, we urge you to pass H.R. 1427/S.726, the Promoting Innovation and Life Saving Medicines Act of 2009. This bipartisan bill gives the Food and Drug Administration the authority to approve safe and effective biogeneric drugs, while maintaining the delicate balance between access to affordable medicines and appropriate incentives for innovation. This safe and science-based workable biogeneric approval process should be an integral part of health care reform as it provides the mechanism to expand access to safe and affordable care while reducing costs to employers, the government, and the American people.

Of the over \$40 billion of biologics sold in the United States each year, more than \$15 billion is for products that no longer have patent protection. Because the FDA lacks the authority to approve biogenerics, patients and other payors are forced to continue to pay monopoly prices. Compounding the problem, many of these medicines are extremely costly. For example, interferons to treat multiple sclerosis have annual treatment costs ranging from \$16,500 to \$30,000.

Growth in spending on biologics continues to outpace that of traditional pharmaceuticals, creating an ever-increasing multi-billion dollar savings opportunity for these life-saving products. Medicare Part B alone spends \$7 billion a year on biologics, roughly 43% of all Part B drug spending. The fact is, public and private payors will save countless billions of dollars when generic biologics are available, and independent studies suggest that savings could be substantially more than what has been projected by the Congressional Budget Office if exclusivity periods are limited and we look beyond the 10-year federal budget window.

We strongly believe H.R. 1427/S. 726, introduced by Representatives Waxman, Deal, Pallone and Emerson, and Senators Schumer, Brown, Collins, Stabenow, Martinez, Shaheen and Vitter, provides the only balanced approach to establishing a workable FDA approval process while appropriately encouraging innovation and ensuring patient safety. Ensuring that all FDA approved products on the market are safe is of utmost importance for each of us.

We the undersigned are unified in our support for making safe and effective medicines, including biogenerics, more affordable for millions of patients. In today's economic climate, for many Americans, affordability means access. We urge you to support the Promoting Innovation and Life Saving Medicines Act.

Sincerely,

AARP

Aetna Inc

AFL-CIO

American Federation of State, County and Municipal Employees (AFSCME)

Apotex

AT&T

Blue Cross Blue Shield Association

California Public Employees Retirement System

Carpenter

Centene

Chrysler Corporation

Colorado Public Employees' Retirement Association

Consumers Union

Council for Citizens Against Government Waste

CVS Caremark

Eagle Corporation

Express Scripts, Inc.

Families USA

Ford Motor Company

FreedomWorks

General Motors Corporation

Generic Pharmaceutical Association

Hospira, Inc.

Humana

International Union, United Automobile, Aerospace & Agricultural Implement Workers of America (UAW)

Kaiser Permanente

Keenan & Associates

Kentucky Teachers' Retirement System

Medco Health Solutions

Momenta Pharmaceuticals, Inc.

Mylan

National Association of Chain Drug Stores
National Association of Health Underwriters
National Research Center for Women & Families
Novation
Ohio School Employees Retirement System
Pharmaceutical Care Management Association
Physicians Health Plan of Northern Indiana
Premier, Inc.
Prime Therapeutics
Public Citizen
Public Sector HealthCare Roundtable
Rite Aid Corporation
Scan Health Plan
SEIU
State Teachers' Retirement System of Ohio
Teva Pharmaceuticals USA
The Dow Chemical Company
Walgreens
Watson Pharmaceuticals
WellPoint, Inc.
Xerox Corporation