Dear Chapter Members,

The Health and Public Policy Committee of the MA ACP Chapter has been working hard on addressing the rising costs of prescription drugs and we need your help today.

On October 17, the Senate released the [health care cost containment bill](https://malegislature.gov/Committees/Detail/S61/Documents) S2202 proposing measures aimed at controlling health care costs across the Commonwealth. Specifically, around the issue of prescription drug costs this bill asks pharmaceutical manufacturers and pharmacy benefit managers to disclose certain cost information. While it is a step in the right direction, we feel the bill falls short on creating the degree of cost transparency needed to protect our patients from drug price gouging.

The bill asks the pharmaceutical manufacturers to report “net expenditures” on certain drugs but this will obscure the true costs of the drugs as it does not require reporting on costs including production, research and development, marketing, and other expenses. The bill requires the disclosure of “aggregate, company-level research and development expenditures,” which again does not increase the transparency of costs involved in a drug.

We ask that you call your senators to support amendment #19 to this bill, which strengthens the data reporting criteria, increases penalties for failure to report, requires drug manufacturing companies of excessively priced drugs to develop and implement a prescription drug improvement plan, and authorizes the Attorney General to deem excessive drug pricing that fails to conform to the prescription drug improvement plan as “unfair practice.” Specifically, this amendment would require reporting of the cost of drug production, research and developments costs (including those paid with public funds), marketing and advertising costs, prices charged to purchasers outside the U.S., and annual profit margins.

The Senate will be debating S2202 and any amendments to it on this Wednesday, November 8 so we ask that you contact your senators today. We all know that prescription drug cost transparency is the need of the hour - we hope you will take a few minutes to take action today.

To make this as easy as possible, we have provided email and phone call templates below that you can adapt. We encourage you to include a patient story to emphasize the personal impact prescription drug costs have on our patients and communities.

We thank you for your help and support. If you have any questions or get responses back from the Senators, please contact me at [zoe.tseng@gmail.com](mailto:zoe.tseng@gmail.com).

Sincerely,

Zoe Tseng, MD, FACP

Co-Chair, Health and Public Policy Committee, MA Chapter of the ACP

**Email template**

Dear Senator [*insert name*],

I am an internal medicine physician practicing in [*insert town*] and a member of the Massachusetts Chapter of the American College of Physicians (ACP). Our chapter represents 4,000 physicians across Massachusetts and we are the largest medical specialty organization with 152,000 members worldwide.

The impact of prescription drug costs cannot be understated as 7 out of 10 Americans take at least 1 prescription drug. Escalating prescription drug costs have taken a toll on my patients and my practice.

[*Insert patient story. For example: I have a 70 year old patient with diabetes that has been on insulin for 10 years and well-controlled on this regimen but the cost of her insulin has increased from $50 per month to over $200 per month*.]

We applaud the Senate’s efforts to address prescription drug costs through the [health care cost containment bill](https://malegislature.gov/Committees/Detail/S61/Documents) S2202. While it is a step in the right direction, we feel the bill falls short on creating the degree of cost transparency needed to protect our patients from drug price gouging.

The bill asks the pharmaceutical manufacturers to report “net expenditures” on certain drugs but this will obscure the true costs of the drugs as it does not require reporting on costs including production, research and development, marketing, and other expenses. The bill requires the disclosure of “aggregate, company-level research and development expenditures,” which again does not increase the transparency of costs involved in a drug.

We ask that you support amendment #19 to this bill, which strengthens the data reporting criteria, increases penalties for failure to report, requires drug manufacturing companies of excessively priced drugs to develop and implement a prescription drug improvement plan, and authorizes the Attorney General to deem excessive drug pricing that fails to conform to the prescription drug improvement plan as “unfair practice.” Specifically, this amendment would require reporting of the cost of drug production, research and developments costs (including those paid with public funds), marketing and advertising costs, prices charged to purchasers outside the U.S., and annual profit margins.

We hope that you will support amendment #19, which will bolster the important provisions in S2202 aimed at increasing prescription drug cost transparency. Please feel free to contact me if you have any questions or comments.

Sincerely,

[*Insert your name*]

Address

Telephone number

**Phone script**

Hello,

I am an internal medicine physician practicing in [*insert town*] and a member of the Massachusetts Chapter of the American College of Physicians (ACP). Our chapter represents 4,000 physicians across Massachusetts.

I am calling to ask Senator [*insert name*] to support amendment #19 to the health care cost containment bill S2202. Specifically, around the issue of prescription drug costs this bill asks pharmaceutical manufacturers and pharmacy benefit managers to disclose certain cost information. While it is a step in the right direction, we feel the bill falls short on creating the degree of cost transparency needed to protect our patients from drug price gouging.

Amendment #19 strengthens the data reporting criteria, increases penalties for failure to report, requires drug manufacturing companies of excessively priced drugs to develop and implement a prescription drug improvement plan, and authorizes the Attorney General to deem excessive drug pricing that fails to conform to the prescription drug improvement plan as “unfair practice.” Specifically, this amendment would require reporting of the cost of drug production, research and developments costs (including those paid with public funds), marketing and advertising costs, prices charged to purchasers outside the U.S., and annual profit margins.

We hope that you will support amendment #19, which will bolster the important provisions in S2202 aimed at increasing prescription drug cost transparency.

**Senator Contact Information**

To search for the contact information for your senator, please use this link:

<https://malegislature.gov/Search/FindMyLegislator>.

Please additionally contact the following senators who have been supportive of drug cost transparency (especially if you are a constituent):

|  |  |  |  |
| --- | --- | --- | --- |
| **Senator** | **District** | **Email** | **Phone** |
| Senator Jason Lewis | [5th Middlesex](https://malegislature.gov/Legislators/Profile/jml0/District) | Jason.Lewis@masenate.gov | 617-722-1206 |
| Senator Harriette Chandler | [1st Worcester](https://malegislature.gov/Legislators/Profile/HLC0/District) | Harriette.Chandler@masenate.gov | 617-722-1544 |
| Senator Patrician Jehlen | [2nd Middlesex](https://malegislature.gov/Legislators/Profile/PDJ0/District) | Patricia.Jehlen@masenate.gov | 617-722-1578 |
| Senator Michael Brady | [2nd Plymouth and Bristol](https://malegislature.gov/Legislators/Profile/MDB0/District) | Michael.Brady@masenate.gov | 617-722-1200 |
| Senator John Keenan | [Norfolk and Plymouth](https://malegislature.gov/Legislators/Profile/JFK0/District) | John.Keenan@masenate.gov | 617-722-1494 |
| Senator Patrick O’Connor | [Plymouth and Norfolk](https://malegislature.gov/Legislators/Profile/PMO/District) | Patrick.OConnor@masenate.gov | 617-722-1646 |
| Senator James Eldridge | [Middlesex and Worcester](https://malegislature.gov/Legislators/Profile/JBE0/District) | James.Eldridge@masenate.gov | 617-722-1120 |
| Senator Joan Lovely | [2nd Essex](https://malegislature.gov/Legislators/Profile/JBL0/District) | Joan.Lovely@masenate.gov | 617-722-1410 |
| Senator Anne Gobi | [Worcester, Hampden, Hampshire, and Middlesex](https://malegislature.gov/Legislators/Profile/AMG0/District) | anne.gobi@masenate.gov | 617-722-1540 |