

until it's over

# AIDS ACTION

January 11, 2007

The Honorable Nancy Pelosi  
U.S. House of Representatives  
Washington, DC 20515

Dear Speaker Pelosi:

On behalf of AIDS Action Council, I am writing in support of H.R. 4, the Medicare Prescription Drug Price Negotiation Act of 2007. As you are aware, this bipartisan legislation repeals provisions in the current law that prohibit the Secretary of Health and Human Services from negotiating with drug companies for lower drug prices on behalf of Medicare beneficiaries. We believe an effort to ensure that the Secretary of Health and Human Services has the authority to negotiate drug prices is important to the continuing success of Medicare Part D.

Although we support the proposed legislation, it is critical that if passed, its implementation not reduce the range of non-restricted open formularies available to beneficiaries. Price negotiations must not jeopardize access to the program and to drugs, including new and improved drugs that are just coming onto the market. It would be detrimental to those living with HIV/AIDS, if negotiations on price resulted in a reduction in the private sector's investment in new anti-retrovirals and other drugs combating HIV/AIDS and related opportunistic infections.

We hope that this is only the first step in Congress's review of Medicare Part D. Almost every person living with HIV who accesses anti-retroviral and other expensive medications through Medicare Part D will be required to pay thousands of dollars towards "True out-of-pocket" (TrOOP) costs before reaching "catastrophic" coverage at \$3600. The Centers for Medicare and Medicaid Services will not allow AIDS Drug Assistance Programs (ADAP) to contribute towards TrOOP costs. This is particularly hard on people who are dually eligible for Medicaid and may result in disruption of treatment for those who cannot afford the out of pocket expenditure.

We are working with our coalition partners to detail other issues that Congress should review as it continues its work on Medicare Part D. Again, we support your efforts to pass H.R. 4 and we look forward to working with you on this and other issues in the future. If you have any questions about the issues that we have raised, please do not hesitate to contact me.

Sincerely,



Rebecca Haag  
Executive Director