

NPAF National Patient Advocate Foundation

The Patient's Voice | since 1996

EXECUTIVE BOARD

Nancy Davenport-Ennis
CEO, President
National Patient Advocate Foundation

Dennis A. Gastineau, MD
Board President
Director, Human Cell Therapy Laboratory
Divisions of Transfusion Medicine & Hematology
Mayo Clinic

Christian Downs, MHA, JD, MHA
Immediate Past President
Executive Director
Association of Community Cancer Centers

Leah Locke-Arnett, RN, BSN, MHCA
Board Secretary

John L. Murphy
Board Financial Officer
Saguenay Capital, LLC

Bruce Avery, MD
Hematology-Oncology Knoxville

Alan J. Balch, PhD
Vice President
Preventive Health Partnership

Martha E. "Meg" Gaines, JD, LL.M.
Clinical Professor of Law,
University of Wisconsin Law School

Lovell A. Jones, MD, PhD
Director, Center for Research on Minority Health
Department of Health Disparities Research
University of Texas
MD Anderson Cancer Center

Pearl Moore, RN, MN, FAAN

Jonathan B. Perlin, MD, PhD, MSHA, FACP, FACMI
President, Clinical Services & Chief Medical Officer
HCA / Hospital Corporation of America

Roy Ramthun, MSPH
President
HSA Consulting Services

Reed V. Tuckson, MD, FACP
Executive Vice President and
Chief of Medical Affairs
UnitedHealth Group

SCIENTIFIC ADVISORY COMMITTEE

Robert M. Rifkin, MD, FACP
Chair, Science Advisory Committee
Director, NMDP Collections
Rocky Mountain Blood & Marrow Transplant Program
Rocky Mountain Cancer Centers

Charles Balch, MD, FACS
Professor of Surgery and Oncology and Dermatology
Deputy Director, Johns Hopkins Institute for Clinical
and Translational Research
Johns Hopkins

Pamela S. Becker, MD, PhD
Associate Professor of Medicine/Hematology
Institute for Stem Cell and Regenerative Medicine
University of Washington

Al Benson III, MD, FACP
GI Medical Oncology (Professor of Medicine)
Northwestern University - Feinberg School of Medicine

David Brizel, MD
Professor of Radiation Oncology
Associate Professor of Head and Neck Surgery
Duke University Medical Center

Nicholas J. Petrelli, MD, FACS
Medical Director
Helen F. Graham Cancer Center

F. Marc Stewart, MD
Professor of Medicine, University of Washington
Fred Hutchinson Cancer Research Center

Lori Williams, PhD, RN, AOCN
University of Texas
MD Anderson Cancer Center

November 29, 2012

The Honorable William Cassidy, MD
United States House of Representatives
1535 Longworth House Office Building
Washington, DC 20515

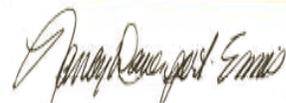
Dear Dr. Cassidy:

The National Patient Advocate Foundation (NPAF) thanks you for introducing H.R. 6611, the Patient Access to Drugs in Shortage Act, which seeks to curb drug shortages through market adjustments. A number of factors contribute to drug shortages, and we believe the Food and Drug Administration Safety and Innovation Act (FDASIA) will help by modifying existing reporting requirements for manufacturers of drugs that are life-supporting and life-sustaining, as well as authorizing the Government Accountability Office (GAO) to conduct a study to examine the causes of drug shortages.

While notification is certainly imperative, it does not proactively address other causes. We appreciate that your proposal explores market factors, which also may be contributing to shortages. Many of the drugs currently in shortage are affordable, low-cost generic sterile-injectable medications. Historically, as innovative medicines go off patent and as generic manufacturers enter the market, prices are lowered. Thus, generic drugs are sold for limited profit.¹ These price reductions reduce costs for all purchasers and providers, but they also result in reduced revenues for the manufacturer and essentially preclude the ability of generic drug manufacturers to increase their prices.² If only one or two companies produce a particular drug, manufacturing or production problems more acutely threaten patient access.

We applaud your efforts to put patients first in seeking a solution to this problem. Please contact me at 202-347-8009 or nde@npaf.org with any questions or to discuss how NPAF can further assist you in your deliberations.

Respectfully submitted,



Nancy Davenport-Ennis
CEO and President

The advocacy activities of NPAF are informed and influenced by the experience of patients who receive direct, sustained services from Patient Advocate Foundation (PAF), which provides assistance to patients with chronic, debilitating or life-threatening conditions. In 2011, PAF resolved over 103,000 patient cases and received more than five million additional inquiries from patients nationwide.

¹ Chabner, Bruce A. "Drug Shortages – A Critical Challenge for the Generic-Drug Market." New England Journal of Medicine, 12/8/2011.

² *Ibid*.