October 30, 2018

Dear Representative,

The Epilepsy Foundation and undersigned organizations write to you today to voice our concerns over the compulsory licensing provisions included in Rep. Lloyd Doggett's (D-TX) recently proposed Medicare Negotiation and Competitive Licensing Act of 2018 (HR 6505). These provisions threaten to undermine important aspects of our health care system that encourage innovative drug development for more than 42 million Part D patients.

If passed, the proposed legislation would allow the U.S. government to grant "compulsory licenses" to generic drug manufacturers—an unprecedented act that would bypass the existing patent and exclusivity protections afforded to companies and established through historic bipartisan congressional support. Currently, there are countless life-saving medications being developed by pharmaceutical companies where patients, families, and companies invest critical research, time, and development. Undermining this complex development process for new drugs would not only be a dangerous precedent to set, but it could also disincentivize future investment in innovative techniques, creating detrimental roadblocks in the path of innovation and unmet need for patients.

Older Americans covered under the Medicare Part D program who have been diagnosed with conditions like epilepsy or osteoporosis rely heavily on the research and development process to produce new drugs to better treat their disease or provide hope for those with no treatment options so that all are free to live normal lives. Moreover, incentives to continue advancements in drug development are vital to the future of those living with chronic conditions such as Alzheimer's disease, where a cure is still out of reach. Compulsory licensing would do nothing to promote future drug development and could reduce access to new medications and hinder the patient advocacy community's research initiatives to create treatments.

One of the hallmarks of our nation's advanced health care system is its promotion of pharmaceutical research, development, and innovation. Allowing compulsory licensing would be contrary to this mission. Instead, it would permit the government to unilaterally gut incentives to advance new, ground-breaking treatments and medications through the development process, negatively impacting the health and life quality of our nation's most vulnerable patients.

In order to protect patient access, enhance American pharmaceutical innovation, and preserve the future of the successful Medicare Part D program, we strongly urge you to oppose the Medicare Negotiation and Competitive Licensing Act— or any future legislation that would introduce the principle of compulsory licensing. America's patients deserve the highest standard of care, and this principle relies on your continued support of biopharmaceutical research and development as well as the patients that rely on it.

Thank you for your support,

Bridge the Gap - SYNGAP Education and Research Foundation
Dup15q Alliance
Epilepsy Foundation
Epilepsy Foundation Central & South Texas

Epilepsy Foundation Heart of Wisconsin
Epilepsy Foundation Iowa
Epilepsy Foundation Nebraska
Epilepsy Foundation New England
Epilepsy Foundation Northwest
Epilepsy Foundation of Alabama
Epilepsy Foundation of Colorado
Epilepsy Foundation of Connecticut
Epilepsy Foundation of Georgia
Epilepsy Foundation of Hawaii
Epilepsy Foundation of Indiana
Epilepsy Foundation of Kentuckiana
Epilepsy Foundation of Minnesota
Epilepsy Foundation of MO & KS
Epilepsy Foundation of Nevada
Epilepsy Foundation of Oklahoma
Epilepsy Foundation of Utah
Epilepsy Foundation of Vermont
Epilepsy Foundation of Virginia
Epilepsy Foundation Texas - Houston/Dallas-Fort Worth/West Texas
Global Alliance for Patient Access
International Foundation for Autoimmune & Autoinflammatory Arthritis (IFAA)
National Minority Quality Forum
National Osteoporosis Foundation
The Brain Recovery Project: Childhood Epilepsy Surgery Foundation
Tuberous Sclerosis Alliance
Wishes for Elliott: Advancing SCN8A Research