

October 24, 2023

The Honorable John Barrasso, M.D.
405 Hart Senate Office Building
U.S. Senate
Washington, D.C. 20510

The Honorable Greg Murphy, M.D.
407 Cannon House Office Building
U.S. House of Representatives
Washington, D.C. 20515

The Honorable Michael Burgess, M.D.
2161 Rayburn House Office Building
U.S. House of Representatives
Washington, D.C. 20515

Dear Senator Barrasso, Congressman Burgess, and Congressman Murphy:

The American College of Rheumatology (ACR), representing over 7,700 rheumatologists and rheumatology interprofessional team members, writes to support and thank you for introducing S. 2764/H.R. 5391, the *Protecting Patient Access to Cancer and Complex Therapies Act of 2023*. The bill will ensure the ongoing drug price negotiations do not impact providers by maintaining the current complex therapy administration code structure. The ACR is pleased to support this legislation and applauds your work on this issue.

Rheumatologists and rheumatology professionals treat patients who suffer from chronic and complex diseases. Our patients require life-altering treatments that are expensive and necessary to ensure a quality of life. ACR has long supported policies aimed at addressing the high costs of drugs that have limited access to needed treatments. While we applaud recent policies, including the new Medicare Drug Negotiation Program, we fear that the unintended consequences of the administration codes will negatively impact providers.

Currently, providers are reimbursed for administering complex therapies based on the average sales price (ASP) plus 6%. The add-on payment is critical for providers, particularly those in private practices, for reimbursement of the cost of acquiring and administering treatments to patients. While ACR supports drug price negotiations to allow for greater access to life-altering treatments, we urge passage of this bill to ensure providers can continue to acquire and administer complex therapies. Altering the formula from the ASP to a to-be-determined maximum fair price will create uncertainty for financial decisions within private practice and will force many providers to abandon administering treatment as it will create a significant strain on the financial solvency of a practice.

Thank you for your attention to the needs of rheumatology patients and practices. The ACR looks forward to working with you to continue to refine the drug price negotiation program while ensuring providers are financially able to provide needed treatments. If you have any additional questions, please contact Lennie McDaniel, JD, Director of Congressional Affairs, at lmcdaniel@rheumatology.org.

Sincerely,



Christina Downey, MD
Chair, Government Affairs Committee
American College of Rheumatology