

August 2<sup>nd</sup>, 2019

Dear Member of Congress,

When Congress returns from the August break, we the undersigned urge you to take swift action to help patients, employers, and taxpayers by promptly voting to pass legislation such as the bipartisan *Lower Health Care Costs Act* (S. 1895). With significant support on both sides of the aisle, as well as in both chamber of Congress, the time is now to take meaningful steps to reduce health care costs. Employers are at the forefront of innovation to improve health care quality and decrease costs. Final legislation should include provisions to enhance these efforts and do the following:

- **End the surprise medical billing crisis by enacting a local, market-based benchmark backstop.** Rather than a government-mandated binding arbitration process that is opaque and will allow continued price-gouging of patients, Congress should protect patients from surprise billing in a way that will not increase premiums and total health care costs. And patients should be protected not just once they get to the hospital, but also in the ambulance or air ambulance that takes them there.
- **Reduce the high costs of prescription drugs.** Congress should include provisions to increase choice and competition, speed generic and biosimilar products to market, and end gaming of the current regulatory and patent system. Congress should consider including provisions that passed in the Senate Judiciary Committee with broad bipartisan support as well – including cracking down on pay-for-delay arrangements and “evergreening”, ending sovereign immunity schemes, and promoting wider use of biosimilars.
- **Require transparency, fairness and competition in the health care system.** Patients deserve to be protected from anti-competitive contracting practices and gag clauses. Congress should also unleash the potential of health care claims data to improve quality and reduce costs, ensure that prescription drug benefits are managed in the best interests of patients and plan sponsors, and ensure that patients know what the real costs of their care will be.
- **Fund America’s public health infrastructure.** As Congress moves to continue funding for community health centers and other public programs, this funding should be paired with reforms to improve prevention and management of chronic illness and obesity, modernize data systems, and improve maternal and perinatal health.
- **Improve health information technology.** Congress should include bipartisan measures to bolster health care cost transparency, improve cybersecurity in health care, promote interoperability and protect patient privacy.

In 2019, Congress has a historic opportunity to lower health care costs, improve quality, and ensure fairness, competition and transparency in the health care system for all Americans. This opportunity should not be squandered. When Congress returns in September, we urge leadership to bring legislation that meets these objectives to a vote and send the bills to the President’s desk to be signed into law.

Sincerely,

American Benefits Council  
HR Policy Association  
National Alliance of Healthcare Purchaser Coalitions  
National Retail Federation  
Pacific Business Group on Health  
The ERISA Industry Committee

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