

Committee on Energy and Commerce
Opening Statement as Prepared for Delivery
of
Subcommittee on Health Ranking Member Anna Eshoo

Markup of 17 Bills, Subcommittee on Health

May 17, 2023

Today, we're marking up 17 bills, 11 of which will be included in one package, to increase transparency in healthcare, strengthen critical public health programs, and secure access to care for low-income Americans.

First, we're marking up legislation to reauthorize the animal user fee programs and overhaul and modernize the nation's organ transplant system. That is a huge issue and bravo to the entire committee and all of the Members on that because this is something that is really needed, talk about life-or-death situations.

Next, we're considering a comprehensive package of bills that advance bipartisan efforts to:

- Reauthorize and expand vital public health programs;
- Increase transparency for hospitals, health plans, and PBMs, long time coming, including my bill, the *PBM Accountability Act*, to reveal the business practices of pharmacy benefit managers that drive up prices for patients;
- Prevent cuts to Medicaid Disproportionate Share Hospital payments; and
- Bring down the costs of healthcare to pay for the provisions of the bill.

I'm pleased we're also marking up H.R. 2666, the *MVP Act*, legislation that I'm really pleased to have joined the Chairman on to codify a CMS rule that ensures Medicaid enrollees have access to breakthrough gene therapies to treat and cure diseases such as sickle cell anemia and cystic fibrosis.

We've worked hard to tailor this legislation to align it more closely with the underlying rule and give CMS adequate flexibility to update the provision in the future.

We're also marking up legislation to establish patient protections on highly rebated drugs and to require HHS to issue an annual report to Congress on how changes in Medicare payment systems impact provider and payer consolidation.

The last bill is H.R. 3290, a bill to increase reporting requirements on participants in the 340B Drug Pricing Program.

I have serious concerns about what I view as the cherry-picked metrics in this legislation that in my view do not accurately represent the program or its benefits, and I plan to vote against it.

This markup is a culmination of months of work by Subcommittee members to examine some of the most pressing issues in health and develop policy solutions that address what needs

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to be addressed. I'm so proud of Members of the Committee, both sides of the aisle, and thank you for your leadership, Mr. Chairman. I urge us all to continue these bipartisan conversations. Most frankly it makes me look forward to coming to work. I have great hope this work is going to really end up in movement. I yield back.