

**Committee on Energy and Commerce**  
**Opening Statement as Prepared for Delivery**  
**of**  
**Full Committee Ranking Member Frank Pallone, Jr.**

***Hearing on “Examining Policies to Improve Seniors’ Access to Innovative Drugs, Medical Devices, and Technology”***

**September 19, 2023**

For almost 60 years, Medicare has played a critical role in the lives of our nation’s seniors and disabled Americans. Today, Medicare provides health coverage for over 65 million Americans. This Committee has long been committed to sustaining the Medicare program, expanding coverage for seniors, and ensuring that the program delivers the highest quality care.

Over the last few decades, we have seen an incredible acceleration in the number of scientific and medical breakthroughs. This has allowed for the creation of new treatments and technology to manage devastating diseases.

The Centers for Medicare and Medicaid Services (CMS) plays an important role in ensuring that Medicare beneficiaries can access these innovative medical technologies and treatments in a timely manner, a goal that we all share. CMS does all this while maintaining appropriate safeguards and rigorous evidence standards that prioritize the health and well-being of our nation’s seniors and the disabled.

There are reasonable discussions to be had about whether there are ways to improve the transparency and predictability of CMS’s pathways to coverage, and I look forward to our witnesses discussing those pathways today. However, I am concerned about some of the legislation before us that proposes to bypass these pathways to give handouts to Big Pharma and medical device companies.

My Republican colleagues have put forward a long list of extremely expensive bills that could cost hundreds of billions of dollars without any way of paying for them. The ironic thing is that this hearing comes at a time when their caucus is threatening a government shutdown over federal spending levels.

My chief concern here is that these proposals would likely result in significant cuts to the Medicare program in order to offset spending of this magnitude. Enacting these proposals would also raise health care costs for seniors through increased premiums. This will place additional undue burdens on our nation’s seniors and raise their out-of-pocket costs. Democrats have held firm in their commitment to oppose any efforts to cut Medicare benefits, raise the retirement age, or increase beneficiary contributions. We will continue the fight to protect the Medicare program.

I am also disappointed that Committee Republicans refused to include legislation that would directly expand access to care and reduce costs for seniors. We have a number of bills that will directly help Medicare beneficiaries. One bill would reduce cost-sharing through the Medicare

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Savings Program and another would extend funding for outreach and enrollment programs for low-income beneficiaries. These bills were rejected by the majority.

While I am disappointed these bills were not included in today's hearing, I will continue to fight to lower costs and expand access to care for Medicare beneficiaries.

I am pleased that H.R. 5386, the Cutting Copays Act was included in today's hearing. This bill would eliminate co-pays for generic drugs for low-income beneficiaries. This would be a meaningful step to lowering costs for seniors across the country.

I look forward to continuing to work with my colleagues on both sides of the aisle to advance legislation that will meaningfully lower costs for patients and prioritize their health and well-being rather than simply pad the pockets of Big Pharma and medical device companies.

Lastly, I look forward to continuing to work on proposals that address and rein in unfair pharmacy benefit manager practices. There is clear bipartisan support for the proposals we are discussing today, which would address how PBMs use fees, rebates, DIR, and specialty pharmacies in the Medicare Part D program. I look forward to many of these policies becoming law, as well as our long-standing consensus policies to provide greater transparency into PBM practices in the commercial market.

I thank our witnesses for being here today, and I yield back the balance of my time.