



**THE ERISA
INDUSTRY COMMITTEE**
*Shaping benefit policies
before they shape you.*

MELISSA BARTLETT
Senior Vice President,
Health Policy

November 13, 2023

The Honorable Maggie Hassan
United States Senate
324 Hart Senate Office Building
Washington, D.C. 20510

The Honorable Mike Braun
United States Senate
404 Russell Senate House Building
Washington, D.C. 20510

The Honorable Diana Harshbarger
United States House of Representatives
167 Cannon House Office Building
Washington D.C. 20515

The Honorable Annie Kuster
United States House of Representatives
2201 Rayburn House Office Building
Washington D.C. 20515

Dear Senators Hassan and Braun, and Representatives Harshbarger and Kuster,

On behalf of The ERISA Industry Committee (ERIC) thank you for introducing the *Medication Affordability and Patent Integrity Act* (S. 2780 and H.R. 5429). ERIC strongly supports your bill that would strengthen coordination between the U.S. Food and Drug Administration (FDA) and the U.S. Patent and Trademark Office (USPTO). This legislation will help balance innovation with competition in prescription drug markets.

ERIC is a national advocacy organization exclusively representing the largest employers in the United States in their capacity as sponsors of employee benefit plans for their nationwide workforces. With member companies that are leaders in every economic sector, ERIC is the voice of large employer plan sponsors on federal, state, and local public policies impacting their ability to sponsor benefit plans. ERIC member companies offer benefits to tens of millions of employees and their families, located in every state, city, and Congressional district.

More than 155 million Americans receive health care benefits through their employer, with large employers paying more than 80 percent of health care costs for their employees. ERIC has a significant interest in ensuring that patents issued to prescription drug manufacturers preserve and promote innovation without frustrating the competition model designed by Congress. Plan sponsors are struggling to deliver quality, affordable health benefits to workers and families, in part due to the ever-increasing cost of prescription drugs.

Your legislation takes steps to streamline and improve the patent system for prescription drugs, which will drive affordability and access for patients, without harming innovation. Congress should take reasonable steps such as this to improve competition in prescription drug markets.

ERIC strongly supports this bill and looks forward to working with you to advance the legislation during the 118th Congress.

Sincerely,

Melissa Bartlett