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# Leahy And Other Leading Judiciary Committee Senators Reintroduce Bipartisan Legislation To Counter Rising Prescription Drug Prices

. . . Bipartisan, bicameral legislation would counter most common delay tactics used by name-brand manufacturers to prevent lower-cost generic competition

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Senator Patrick Leahy (D-Vt.), joined by other leading Judiciary Committee senators, on Tuesday reintroduced legislation to combat anticompetitive practices used by some brand-name pharmaceutical and biologic companies to block entry of lower-cost generic drugs.

The Creating and Restoring Equal Access To Equivalent Samples (CREATES) Act would deter pharmaceutical companies from blocking cheaper generic alternatives from entering the marketplace. The bill is sponsored by Leahy and cosponsored by Judiciary Committee Senators Chuck Grassley (R-Iowa), Amy Klobuchar (D-Minn.) and Mike Lee (R-Utah), leaders of the Subcommittee on *Antitrust*, Competition Policy and Consumer Rights. Representatives David Cicilline (D-R.I.) and Jim Sensenbrenner (R-Wis.), Chairman and Ranking Member, respectively, of the House Judiciary Subcommittee on Antitrust, Commercial, and Administrative Law, joined by House Judiciary Committee Chairman Jerrold Nadler (D-N.Y.), Ranking Member Doug Collins (R-Ga.) and Representatives Peter Welch (D-Vt.) and David McKinley (R-W.Va.) introduced an identical version of the bill in the House.

Leahy said: “I hear from Vermonters every day that rising prescription drug prices are a larger strain each year on their tight budgets. For too long, a few predatory name brand companies have used anticompetitive strategies to delay entry of lower cost generic drugs. When these companies use unfair practices to keep drug prices artificially high, patients suffer. Patients, families and government programs shouldn’t have to cope with increased drug costs to help name brand companies’ bottom lines. Our bipartisan bill continues to gain momentum. It is precisely targeted to stop these abuses, and I’m committed to working on behalf of Vermonters in Congress to see that CREATES and other vital efforts to lower prescription drug prices are signed into law.”

Grassley said: “Generic alternatives to brand-name medications provide consumers with greater choice and more affordable prescription drug options, but anti-competitive practices by some brand-name pharmaceutical companies block access to these lower-cost generics. This behavior hurts consumers and costs taxpayers billions. The bipartisan CREATES Act respects intellectual property rights and encourages greater competition that will inevitably lower the price of prescription medications for the American patient. It also saves \$3.9 billion in taxpayer dollars and likely far more for consumers and private insurers. I look forward to getting this important tool passed so we can improve access to lower-cost generic drugs.”

Klobuchar said: “No family should ever be forced to decide between filling a prescription or putting food on the table. This legislation will help end the unfair practices that drive up prescription drug costs and deter pharmaceutical companies from blocking cheaper generic alternatives from entering the marketplace. All Americans should be able to afford the lifesaving medication they need.”

Lee said: “If we’re ever going to bring the cost of health-insurance premiums and prescription drugs under control we must reform the Food and Drug Administration’s excessively onerous, time-consuming regulatory process. The CREATES Act is an essential first step in that process. It is a commonsense, bipartisan measure that will provide real, immediate relief to a serious problem.”

The Congressional Budget Office has estimated that the bill would result in a \$3.9 billion net decrease in the federal deficit. Savings to consumers and private insurers likely would be far greater – many billions of dollars more.

The legislation, a version of which was introduced in the House earlier this year, is strongly supported by a coalition of groups as diverse as AARP, American College of Physicians, FreedomWorks, Coalition for Affordable Prescription Drugs and many more. A coalition letter in support of the CREATES Act can be found [here](#) and a list of supporters [here](#).

In addition to Senators Leahy, Grassley, Klobuchar and Lee, the bill is cosponsored by Judiciary Committee Ranking Member Feinstein (D-Calif.) and Senators Baldwin (D-Wis.), Blumenthal (D-Conn.), Booker (D-N.J.), Brown (D-Ohio), Collins (R-Maine), Cotton (R-Ark.), Cruz (R-Texas), Daines (R-Mont.), Durbin (D-Ill.), Ernst (R-Iowa), Fischer (R-Neb.), Hassan (D-N.H.), Kennedy (R-La.), King (I-Maine), Menendez (D-N.J.), Murkowski (R-Alaska), Paul (R-Ky.), Rounds (R-S.D.), Smith (D-Minn.), Stabenow (D-Mich.), Tester (D-Mont.), Whitehouse (D-R.I.) and Young (R-Ind.).

An outline of the CREATES Act can be found [here](#), and text of legislation can be found [here](#). Leahy's Senate Floor Statement on the bill can be found [here](#).

## Press Contact

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