

Ron Wyden

AMENDMENT NO. _____ Calendar No. _____

Purpose: To create a point of order against legislation that
does not lower drug prices.

IN THE SENATE OF THE UNITED STATES—115th Cong., 1st Sess.

	AMENDMENT N^o 0188		
Setting	By	<u>Wyden</u>	es
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		GPO: 2016 22-945 (mac)	

AMENDMENT intended to be proposed by Mr. WYDEN (for
himself _____)

Viz:

- 1 At the end of title IV, add the following:
- 2 **SEC. 4 ____ . POINT OF ORDER AGAINST LEGISLATION THAT**
- 3 **DOES NOT LOWER DRUG PRICES.**
- 4 (a) FINDINGS.—The Senate finds the following:
- 5 (1) Total annual drug spending in the United
- 6 States is projected to reach more than
- 7 \$500,000,000,000 by 2018.
- 8 (2) One out of five Americans age 19 to 64
- 9 cannot afford to fill their prescriptions.

1 (3) Spending on prescription drugs in the
2 United States grew by 12 percent in 2014, faster
3 than in any year since 2002.

4 (4) Medicare part D drug spending was
5 \$90,000,000,000 in 2015, and is expected to in-
6 crease to \$216,000,000,000 by 2025.

7 (5) Medicare part B drug spending also more
8 than doubled between 2005 and 2015, increasing
9 from \$9,000,000,000 in 2005 to \$22,000,000,000 in
10 2015.

11 (6) In 2014, prescription drug spending in
12 Medicaid increased by 24 percent.

13 (7) During the Presidential campaign, the
14 President-elect said, "When it comes time to nego-
15 tiate the cost of drugs, we're going to negotiate like
16 crazy, folks" and his campaign website said that,
17 "allowing consumers access to imported, safe and
18 dependable drugs from overseas will bring more op-
19 tions to consumers."

20 (8) After being elected, the President-elect said,
21 "I'm going to bring down drug prices. I don't like
22 what's happened with drug prices."

23 (9) On January 11, 2017, the President-elect
24 said, "We have to create new bidding procedures for

1 the drug industry, because they are getting away
2 with murder.”.

3 (b) POINT OF ORDER.—It shall not be in order in
4 the Senate to consider a bill or joint resolution reported
5 pursuant to section 2001 or 2002, or an amendment to,
6 motion on, conference report on, or amendment between
7 the Houses in relation to such a bill or joint resolution
8 that does not, as promised by the President-elect, lower
9 drug prices, as certified by the Congressional Budget Of-
10 fice.

11 (c) WAIVER AND APPEAL.—Subsection (b) may be
12 waived or suspended in the Senate only by an affirmative
13 vote of three-fifths of the Members, duly chosen and
14 sworn. An affirmative vote of three-fifths of the Members
15 of the Senate, duly chosen and sworn, shall be required
16 to sustain an appeal of the ruling of the Chair on a point
17 of order raised under subsection (b).