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January 26, 2021

Mr. Norris Cochran
Acting Secretary
Department of Health and Human Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

Ms. Liz Richter
Acting Administrator
Centers for Medicare & Medicaid Services
P.O. Box 8013
Baltimore, MD 21244-8013

Attention: CMS-5528-IFC

Re: Most Favored Nation (MFN) Model

Dear Acting Secretary Cochran and Acting Administrator Richter:

The Academy of Managed Care Pharmacy (AMCP) thanks the Centers for Medicare & Medicaid Services (CMS) for the opportunity to provide comments in response to its interim final rule with comment (IFC) period titled "*Most Favored Nation (MFN) Model (CMS-5528-IFC)*" published on November 27, 2020. We appreciate the opportunity to leverage our members' expertise in offering feedback on this rule.

AMCP is the professional association leading the way to help patients get the medications they need at a cost they can afford. AMCP's diverse membership of pharmacists, physicians, nurses, biopharmaceutical professionals, and other stakeholders leverage their specialized expertise in clinical evidence and economics to optimize medication benefit design and population health management and help patients access cost-effective and safe medications and other drug therapies. AMCP members improve the lives of nearly 300 million Americans served by private and public health plans, pharmacy benefit management firms, and emerging care models.

AMCP shares CMS's concerns about the rising cost of prescription drugs and its impact on Medicare beneficiaries. While we are supportive of the agency's focus on addressing high drug prices, we are concerned that the MFN Model as designed in this IFC will not address the underlying causes of increasing drug costs and will negatively impact patient access to needed drugs while stifling pharmaceutical innovation.

AMCP supports the design and implementation of innovative models that seek to lower the cost of prescription drugs for patients, but we have significant concerns that the mandatory national scope of the MFN Model as designed in this IFC will negatively impact Medicare beneficiaries and the Medicare program. This model would include all beneficiaries in traditional fee-for-service Medicare and, as such, would require substantial and complex changes to the health care and distribution systems that could harm beneficiary access to drugs and increase costs. CMS itself acknowledges the impact the MFN Model will likely have on patient access, stating in the IFC that “eligible providers and suppliers will need to decide if the difference between the amount that Medicare will pay and the price that they must pay to purchase the drugs would allow them to continue offering the drugs” and that if providers are not able to continue offering these drugs, beneficiaries may be required to “forgo access.”¹ Many of the beneficiaries whose access will be at risk or who may be forced to seek less-effective alternative treatment options under the MFN Model are patients being treated for cancer and other life-threatening illnesses. AMCP opposes the implementation of a payment model that will endanger beneficiaries and strongly urges CMS to withdraw this IFC.

Additionally, the MFN Model is a departure from a true demonstration model through which the Center for Medicare and Medicaid Innovation (CMMI) seeks to test a new payment system in a focused manner and subsequently moves forward with nationwide implementation if it is proven successful. AMCP encourage CMMI to design more targeted demonstrations to test new, innovative payment models, and to withdraw the MFN Model.

Conclusion

AMCP appreciates the opportunity to comment on the IFC *“Most Favored Nation (MFN) Model (CMS-5528-IFC).”* We are committed to being a valuable resource to CMS on improving access to prescription drugs at lower costs and reducing costs in the health care system for Medicare beneficiaries. If you have any questions regarding AMCP’s comments or would like further information, please contact me at 703-684-2600 or scantrell@amcp.org.

Sincerely,



Susan A. Cantrell. RPh, CAE

Chief Executive Officer

¹ <https://www.federalregister.gov/documents/2020/11/27/2020-26037/most-favored-nation-mfn-model>