



December 9, 2024

Chiquita Brooks-LaSure  
Administrator  
Centers for Medicare & Medicaid Services  
Department of Health and Human Services  
Office of Strategic Operations and Regulatory Affairs  
Division of Regulations Development  
7500 Security Boulevard  
Baltimore, MD 21244-1850

*Submitted electronically via surveys.CMS.gov*

Re: Medicare \$2 Drug List Model – Request for Information (RFI)

Dear Administrator Brooks-LaSure:

The Academy of Managed Care Pharmacy (AMCP) thanks the Centers for Medicare & Medicaid Services (CMS) for the opportunity to provide comments in response to the “Medicare \$2 Drug List Model” (RFI), issued on October 9, 2024.

AMCP is the nation’s leading professional association dedicated to increasing patient access to affordable medicines, improving health outcomes, and ensuring the wise use of healthcare dollars. Through evidence and value-based strategies and practices, AMCP’s nearly 8,000 pharmacists, physicians, nurses, and other practitioners manage medication therapies for the 270 million Americans served by health plans, pharmacy benefit management firms, emerging care models, and government health programs.

AMCP and its members commend CMS for its efforts to promote lower cost of prescription drugs, following the Biden Administration’s Executive Order 14087, “Lowering Prescription Drug Costs for Americans.” When drug prices are prohibitively high, many patients find themselves faced with impossible choices between life-saving treatments and basic needs like food and housing. By reducing these costs, we not only ease the financial burden on families but also enhance health outcomes across our communities.

### **Access to Generics**

AMCP is heartened to see CMS encourage greater use of low-cost generics. Generic drugs are safe, cost-effective alternatives to the equivalent brand-name products. When a generic drug is used, patients and health care professionals can expect to see a clinical result and safety profile equal to that of the brand-name drug. At a time when health care expenditures are escalating at alarming rates, greater access to safe and effective generic drugs can aid in reducing prescription drug expenditures for patients and payers. AMCP believes that the \$2 drug list model may increase consumer access to generic drugs and promote generic drug use.



CMS has requested feedback on what incentives would encourage plans to voluntarily participate in the model. AMCP recommends that CMS consider additional STARS incentives for participating plans. CMS also indicated an interest in outreach by other external parties that may help raise awareness of the model. AMCP would welcome the opportunity to partner with CMS to engage in outreach to our membership about the model.

### **Potential Concerns**

Although AMCP is optimistic about the model's potential for improving access to generics, AMCP urges that CMS should nonetheless be cautious during its development to mitigate against potential unintended consequences. For example, although standardization of plan benefits may seem to simplify things on the surface, it can also result in fewer plan options for beneficiaries by limiting plans' ability to design and offer different plan options which are unique enough to satisfy the meaningful difference requirements. AMCP encourages CMS to allow flexibility in the list of drugs, wherein plans would select a designated number of drugs from a master list, allowing plans to design a list of \$2 generics to meet beneficiaries' needs.

AMCP has heard concerns from its members about whether the \$2 drug list would apply to both in-network and out-of-network pharmacies. If the model was applicable to out-of-network pharmacies, it would create operational challenges as beneficiaries would need to submit paper claims for reimbursement, potentially negatively impacting the beneficiary's experience. For these reasons, AMCP believes that, as this model is being further developed, CMS should ensure that it applies only to in-network retail and mail order pharmacies.

### **Conclusion**

AMCP appreciates your consideration of the concerns outlined above and looks forward to continuing work on these issues with CMS. If you have any questions regarding AMCP's comments or would like further information, please contact Vicky Jucelin, AMCP's Manager of Regulatory Affairs, at [vjucelin@amcp.org](mailto:vjucelin@amcp.org) or (571) 858-5320.

Sincerely,

Susan A. Cantrell, MHL, RPh, CAE  
Chief Executive Officer