



**Troy D. Jackson**  
President of the Senate

**THE MAINE SENATE**  
130th Legislature

3 State House Station  
Augusta, Maine 04333

**Testimony in Support of LD 1117**  
***An Act To Prevent Excessive Prices for Prescription Drugs***

**Presented to the Committee on Health Coverage, Insurance and Financial Services**  
**April 13, 2021, 10:00 am**

Senator Sanborn, Representative Tepler and members of the Joint Standing Committee on Health Coverage, Insurance and Financial Services, my name is Troy Jackson. I serve as President of the Maine Senate and have the great honor of representing Senate District 1, which is made up of the good people of Northern Aroostook County. I am here today to introduce LD 1117, "An Act To Prevent Excessive Prices for Prescription Drugs."

In 2016, a young woman from my district received some difficult news – news that one in eight women in this country will get at some point in their lives. She had breast cancer. When she arrived at her first chemotherapy appointment and learned how much the treatment would cost, her first thought was, "*Oh my God. I'm going to die just because I can't afford these medications.*"

Those words have stuck with me since she shared her story with me in 2019. She had to refinance her home, refinance her car and use five different credit cards just to afford her medication. When you are battling a life-threatening disease, the last thing you should have to deal with is worrying that you'll go into bankruptcy just to keep yourself alive. Yet, we know that too many people deal with this every day due to the high cost of prescription drugs.

In this country, one in four Americans find it difficult to pay for their prescription medication<sup>1</sup> and 77 percent believe that drug costs are unreasonable.<sup>2</sup> Still, the cost of prescription medication continues to rise.<sup>3</sup> It's why I've introduced LD 1117 to protect Mainers from price gouging – the outrageous overnight price hikes of generic medication that often grab headlines. These tend to be drugs that have been on the market for years with no new developments.

---

<sup>1</sup> <https://www.kff.org/health-costs/poll-finding/kaiser-health-tracking-poll-august-2015/>

<sup>2</sup> <https://www.healthline.com/health-news/drug-price-gouging-laws-becoming-new-trend#Drug-prices-rising>

<sup>3</sup> <https://www.healthline.com/health-news/drug-price-gouging-laws-becoming-new-trend#Drug-prices-rising>

LD 1117 will prevent drug manufacturers from engaging in price gouging behaviors by prohibiting excessive price increases for generic and off-patent prescription drugs<sup>4</sup> sold in Maine. An excessive price increase is defined as an increase of the cost of a drug by more than 15 percent of the wholesale acquisition cost within one year or of 40 percent within three years when that increase amounts to more than \$30 for a 30-day supply. The bill also allows the Attorney General to investigate allegations of drug price gouging and penalize pharmaceutical companies found in violation of the law. An exception is provided that would allow price increases for drugs where additional costs exist that led to such an increase.

We've allowed the attorney general to go after companies charging astronomical prices for basic essentials, like \$10 for a roll of toilet paper.<sup>5</sup> There is no reason we shouldn't have basic protection for Maine people when it comes to medication.

Pharmaceutical companies shouldn't be able to exploit Maine people who rely on lifesaving medication to pad shareholders' pockets. Unfortunately, price gouging is becoming more and more common as large corporations acquire essential drugs and use them to maximize profits while Maine people pay the price.

Recent examples of this practice include:

- raising the cost of a single tablet for the treatment of parasitic infection by \$736.50,
- raising the cost of a drug for heart conditions by \$2,260 for a single vial,
- and raising the cost of a drug for tuberculosis by over \$9,500.<sup>6</sup>

Increases like these are why retail prescription drug spending rose from 1.4 percent in 2017 to 2.5 in 2018.<sup>7</sup> This bill is a small but essential step towards stopping the corporate greed that profits off of Mainers who have nowhere else to turn.

One diagnosis shouldn't mark the end of someone's financial security, nor should the cost of treatment be a death sentence. Make no mistake – I know we won't repair our broken health care system overnight. But you can bet that my colleagues and I will do everything we can to ensure no Mainer looks at the price of their treatment and thinks, *"Oh my God. I'm going to die just because I can't afford these medications."*

---

<sup>4</sup> <https://www.fda.gov/drugs/abbreviated-new-drug-application-anda/list-patent-exclusivity-drugs-without-approved-generic>

<sup>5</sup> <https://www.maine.gov/governor/mills/news/governor-mills-issues-declaration-protect-maine-people-against-price-gouging-2020-03-17>

<sup>6</sup> <https://magazine.wharton.upenn.edu/digital/an-end-to-overpricing-what-big-pharma-price-hikes-mean-for-health-care/>

<sup>7</sup> <https://www.csrpx.org/big-pharmas-price-gouging-and-anti-competitive-tactics-drive-increased-rx-spending/>

With the other bills in the Making Health Care Work for Maine package, this bill will hold powerful pharmaceutical companies accountable for playing corporate games with people's lives.

Thank you for your time and hard work.

Troy D. Jackson  
President of the Maine Senate  
Senate District 1