



NEW YORK STATE SENATOR

Joseph A. Griffo

## Senator Griffo co-sponsors legislation to address “disgraceful” costs of life-saving EpiPen

JOSEPH A. GRIFFO September 9, 2016

| ISSUE: **EPIPEN PRICING, ATTORNEY GENERAL, HEALTH CARE, HEALTH INSURANCE**



State Senator Joseph Griffo announced Friday that he is co-sponsoring legislation that would allow pharmacists to dispense a less expensive generic version of EpiPen to counter the skyrocketing price of this life-saving auto-injector.

**PROPOSED LEGISLATION:** Senator Griffo, R-Rome, is co-sponsoring legislation ([S8189](#)) that was introduced this week by Senator Kemp Hannon, chairman of the Senate Health

Committee. This legislation was proposed following widespread outrage over the continuously rising price of EpiPen by Mylan Pharmaceutical, bringing its cost to more than \$600 – a 500 percent price increase over a number of years.

Thousands of New Yorkers rely on this epinephrine auto-injector syringe to help save them from life-threatening allergic reactions, but in many cases the total cost of this brand name auto-injector is not covered by insurance. If passed into law, the legislation co-sponsored by Senator Griffo will allow families to request, and pharmacists to prescribe, a more affordable epinephrine auto-injector alternative.

“Mylan Pharmaceuticals should be ashamed of themselves for jacking up the price on EpiPen to ridiculous heights, knowing that so many people rely on these medical devices to save themselves from allergic reactions that could potentially kill them,” Senator Griffo said. “These outrageous prices are a disgrace, and so I will support any and all actions that will begin to rein in these out-of-control costs so that more families can afford this life-saving medication.”

**ANTI-TRUST INVESTIGATION:** In the meantime, Senator Griffo said he also supports New York Attorney General Eric Schneiderman’s efforts announced this week to investigate Mylan Pharmaceuticals for potentially taking steps to limit competition amidst the rising price of EpiPen. According to the Attorney General, Mylan Pharmaceuticals may have included language in its EpiPen sale contracts with local school districts that would have prohibited them from purchasing additional auto-injectors from competitors. If any anti-competition laws were violated, then the company should be held accountable, Senator Griffo said.

**STATE AND FEDERAL PARALLEL ACTION:** These unaffordable EpiPen costs have even prompted some New Yorkers to cross the northern border into Canada to purchase EpiPen,

where prices are much lower due to different regulations in Canada. News reports have even stated that U.S. Customs and Border Protection is allowing individuals to return across the border after purchasing a personal supply of EpiPen outside the U.S.

In response, Senator Griffo is suggesting that the State Legislature conduct joint legislative hearings to question representatives of the pharmaceutical industry about the circumstances that have brought about these high EpiPen prices.

It has also been reported that the federal Food and Drug Administration has denied applications for low-cost alternatives by several other drug companies, thereby blocking competition and allowing the price of EpiPen to rise. Senator Griffo is calling upon Congress to examine why the FDA is rejecting these applications, with the goal of ensuring that the FDA allows some alternative devices to be introduced into the competitive marketplace to drive down the price of this important medication.

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#### RELATED LEGISLATION

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### **2015-S8189**

[Allergies](#), [EpiPen Pricing](#), [Family Health](#), [Prescription drugs](#)

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- Introduced
- - In Committee Assembly
  - In Committee Senate

- ○ On Floor Calendar Assembly
  - On Floor Calendar Senate
- ○ Passed Assembly
  - Passed Senate
- Delivered to Governor
- Signed By Governor

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Relates to the substitution of brand name epinephrine autoinjectors with generic epinephrine autoinjectors

September 02, 2016

In Senate Committee [Rules](#)

Sponsored by [Kemp Hannon](#)

Do you support this bill?