

Durbin Joins Grassley In Attempt To Pass Bipartisan Bill To Require Price Transparency In Prescription Drug Advertisements

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WASHINGTON – U.S. Senate Majority Whip Dick Durbin (D-IL) joined U.S. Senator Chuck Grassley (R-IA) today on the Senate floor to request unanimous consent (UC) to pass their bipartisan *Drug-price Transparency for Consumers (DTC) Act*, a bill that would require price disclosures on advertisements for prescription drugs, in order to empower patients and reduce excess spending on medications. U.S. Senator Mike Crapo (R-ID) objected to the unanimous consent request.

In 2018, Durbin and Grassley asked the Government Accountability Office (GAO) to look at the impact of these direct-to-consumer (DTC) ads on Medicare's budget. In 2021, GAO [released a report](#) on the impact of DTC advertising, which found that prescription drugs advertised directly to consumers account for 58 percent of Medicare's spending on drugs. The *DTC Act* would require DTC advertisements for prescription drugs and biological products to include a disclosure of the list price, so that patients can make informed choices when inundated with drug commercials.

“Every year, Big Pharma spends more than \$6 billion on ads. That's the size of the entire budget of the Food and Drug Administration... You want to know why pharmaceutical companies spend so much money promoting their drugs? Because it increases their profits dramatically,” Durbin said. “The average American sees an average of nine ads per day. Pharma thinks if they pummel you with enough ads, that you will finally learn how to pronounce and spell Xarelto, and you'll insist to your doctor that this is the one blood thinner you really need... With billions in targeted spending, patients are bombarded with information, but kept in the dark about one fact. Of all the things they mumble and chatter about at the end of these ads, the one thing they never want you to know is how much these drugs cost—the price.”

For years, Durbin and Grassley have advanced legislative proposals to require pharmaceutical companies to disclose the list prices of their prescription drugs when choosing to run DTC advertisements, including [passing a bipartisan amendment](#) through the Senate in 2018. However, that legislation was stopped by a single House Republican.

Durbin continued, “Senator Grassley and I think it's time for Big Pharma to end the secrecy about the real cost of these drugs. If they're advertising a drug, they should disclose the price up front. It is a basic transparency measure for patients. We introduced bipartisan legislation to require price disclosure in direct-to-consumer drug ads. Our plan is very simple. And it actually passed the Senate once before in 2018.”

Durbin concluded, “If the drug companies are going to spend a fortune, millions of dollars, more than they spend on research for new drugs, advertising these drugs, we have a right to ask ‘what do they cost?’ Is that such a tough question to answer? Not if you're proud of your product. Not if you're proud of the price that you're charging. But if you don't want the American public to know it, you conceal the price and you send Senators to the floor who will object to considering this measure.”

Video of Durbin's remarks on the Senate floor is available [here](#).

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Studies show that DTC ads steer patients to more expensive drugs, even when a patient may not need the medication or a lower-cost generic is available. This practice drives up the cost of health care, while undermining the role of providers. Studies show that patients are more likely to ask their doctor, and ultimately receive a prescription, for a specific drug when they have seen ads for it. For these reasons, most countries have banned DTC prescription drug advertising—the United States and New Zealand are the only developed nations to permit this practice.

The *DTC Act* is endorsed by AARP, American Medical Association, American Hospital Association, American Academy of Neurology, Patients for Affordable Drugs Now, and Campaign for Sustainable Rx Pricing. Additionally, a Kaiser survey found that 88 percent of Americans support this price disclosure policy for advertisements.