



***Senator Rebecca J. Millett***

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***129th Legislature***

# ***Senate of Maine***

***Senate District 29***

June 22, 2020

Alex Azar  
Secretary of Health and Human Services  
200 Independence Avenue S.W.  
Washington, D.C., 20201

Dear Secretary Azar,

I am writing to ask that you and the federal government urgently use all tools at your disposal to ensure that the medicines Maine needs to care for our people throughout this pandemic is readily available with no disruptions, affordable for our programs, and offered at no cost to our citizens.

I am deeply concerned that soon we will face serious shortages. Hospitals are already reporting shortages of medicines needed to respond to the pandemic including items as basic as asthma inhalers. In the mostly rural state of Maine, our hospitals are particularly at risk.

As the pandemic continues, Mainers are likely to continue facing increased hardship, including financial struggles due to job loss and economic downturn, as well as personal hardship from social isolation and health challenges. We must do all we can to prevent treatment rationing caused by high prices. Our communities need access to COVID-19 treatments and vaccines when they are available. It is critically important that these medicines are made available as quickly as possible, regardless of ability to pay.

The federal government has the tools to help us by utilizing existing authorities, such as the Defense Production Act and 28 USC 1498, to ramp up production and clear patent monopolies that keep medicines priced out of reach. Previous experience has shown that using these powers can bring immediate relief. We urgently need help.

I respectfully request you to immediately invoke these authorities to make medicines affordable and accessible. In particular, I ask you:

1. To activate immediately all U.S. public manufacturing facilities to produce any essential medicines in shortage like Azithromycin.
2. To use Section 1498 immediately and break any patent monopoly, if applicable, on medicines like Isoproterenol, and to allow for low-cost generic competition.
3. To begin mass public production of COVID-19 treatments and vaccines that show early efficacy and to authorize multiple manufacturers to produce treatments and vaccines, using Section 1498 to eliminate patent monopolies.

Thank you for your time. I await your urgent response.

Sincerely,

A handwritten signature in cursive script that reads "Rebecca Millet".

Rebecca Millet

Maine State Senate, District 29