



The National Voice for Direct-Care RNs

WASHINGTON DC
8630 Fenton Street
Suite 1100
Silver Spring MD 20910
phone: 800-287-5021
fax: 240-235-2019

OAKLAND
155 Grand Avenue
Oakland CA 94612
phone: 800-504-7859
fax: 510-663-1625

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United States Senate
Washington, D.C. 20510

Dear Senator:

National Nurses United opposes the nomination of Alex Azar to Secretary of Health and Human Services and urges you to reject his confirmation. As registered nurses that serve at the patient's bedside everyday, we believe that Azar's track record as a pharmaceutical executive, along with statements he has made about health policy, disqualify him from this position.

NNU represents 150,000 registered nurses in hospitals and clinics across the United States. Our members see first hand the health and social impacts of healthcare policy and are often the last line of defense for patients and their families. Over the past few decades, we have seen the rising number of deaths of people who were uninsured and the growing number of people who experience life-threatening episodes as a result of skipping needed care, even if they have health insurance, because of the high out of pocket cost.

Every single day, nurses see the harm caused by unaffordable drug prices – which prohibit far too many patients from receiving the treatment they need. Millions of our patients self-ration prescription medications due to the high costs imposed by a pharmaceutical industry that puts profits over people's lives.

As the former president of Lilly USA, the largest affiliate of the pharmaceutical giant Eli Lilly, Alex Azar was directly responsible for price-gouging millions of patients in order to increase profits. Under his leadership, the company raised the price of their insulin brand – Humalog – by more than 300% in seven year, causing a crisis for millions of people living with diabetes. As a result, many patients began to skip refills or inject expired insulin because they could not afford the price hike. Insulin is a life saving medication for people with diabetes. Rationing insulin can lead to kidney failure, heart disease, infections, blindness, and death.

In addition to their blatant price gouging, Eli Lilly has faced multiple lawsuits and criminal fines due to unethical practices. An SEC complaint in 2012 charged Lilly affiliates with a record of global bribes to government officials in Russia, China,

Brazil, and Poland to purchase and or promote Lilly drugs. Lilly ultimately agreed to pay \$29 million to settle the charges and agreed to a settlement permanently enjoining the company from violating anti-bribery rules of the Foreign Corrupt Practices Act. Lilly paid an even a bigger penalty, \$1.4 billion, in 2009, including a criminal fine of \$515 million, the largest ever in a healthcare case at the time, for promoting its schizophrenia drug Zyprexa for uses not approved by the Food and Drug Administration. According to the case, Lilly unlawfully sought to convince physicians to prescribe Zyprexa for dementia, psychosis associated with Alzheimer's disease, and behavioral symptoms including agitation, aggression and hostility.

In an unprecedented case in 2013, Eli Lilly filed an investor-state-dispute-settlement (ISDS) claim against the government of Canada, after Canadian courts refused to issue new therapeutic use patents for two drugs made by Eli Lilly, after finding that there as not enough evidence of new therapeutic uses to justify a new patent. In its ISDS claim, Eli Lilly sought \$500 million (Canadian dollars) as reimbursement from the Canadian government, to recover lost profits. Although the drug company lost the case in a landmark ruling in March of 2017, the case is further proof that Eli Lilly has focused immense attention and resources into bullying governments across the world to extend their monopolies and increase their profit margins.

Our country is facing a crisis of access to affordable medications. The Secretary of Health and Human Services needs to be someone who will advocate for our patients and our health care system. It is unacceptable for the United States Senate to give the reins of our country's health system to a pharmaceutical executive who has willingly endangered the lives of millions of Americans.

We are also concerned about statements Azar has made about health policy, particularly about Medicaid, the Affordable Care Act (ACA), and reproductive health care:

1. At his hearing at the Senate Committee on Health, Education, Labor and Pensions, Mr. Azar spoke favorably of converting Medicaid funding into block grants. This policy proposal would fundamentally change the Medicaid program by ending guaranteed coverage. By capping the federal funding for Medicaid provided to states through block grants, states would be forced to drastically reduce their Medicaid programs, snatching away health insurance for millions of patients, particularly affecting long term care for the elderly, and people with disabilities.

2. When asked if he would commit to support mandatory, free, contraceptive coverage by insurers, Mr. Azar would not do so. Instead, he suggested that the “conscience of employers and others” should be balanced with the insurance plan a woman might want. This statement is incredibly concerning to us, as we know from our experience caring for female patients, that access to free contraception is a critical preventative care measure for women.
3. Mr. Azar has spoken favorably of dismantling the ACA. While National Nurses United has repeatedly voiced concerns that the ACA did not go far enough and believes our country needs a single-payer Medicare for All system to make health care a human right, repealing the ACA would only exacerbate a healthcare crisis many Americans continue to experience.

We urge you to reject Alex Azar’s nomination to the Department of Health and Human Services. Our patients deserve better.

Sincerely,



Deborah Burger, RN
President, NNU



Jean Ross, RN
President, NNU