



FRIDAY ALERT



Alliance for Retired Americans

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May is Older Americans Month!

Every May is Older Americans Month and this year's theme, [Age My Way](#), provides an opportunity to explore the many ways older adults can remain safe and involved with their communities.

OLDER
AMERICANS
MONTH



AGE MY WAY: MAY 2022

The Alliance encourages everyone to make themselves aware of the work of the Administration for Community Living (ACL), part of the United States Department of Health and Human Services (HHS), which focuses on how older adults can plan to stay in their homes and live independently in their communities as long as possible.

Planning, participation, accessibility, and making connections all play a role in aging in place. The National Institute on Aging, also part of HHS, has a [web page](#) which gives advice on how to plan to age in place if that is your preference.

"It is important to remember that every senior's needs and preferences are unique, but wanting to age in place remains a goal for the majority of older Americans," said **Robert Roach, Jr.**, President of the Alliance. "However, aging in place can carry risks and challenges, from falls to transportation issues. Planning ahead is important to prevent health problems and ensure that older people can enjoy the benefits of staying in their homes and communities."

HHS investigation Finds Many Medicare Advantage Enrollees are Denied Necessary Care

Medicare Advantage (MA) plans have grown in popularity, with enrollment more than doubling over the last decade. However, an [investigation conducted](#) by the HHS Inspector General found that tens of thousands of enrollees are denied care that should be covered under the program.

Advantage plans offer a privatized version of traditional Medicare coverage, and they sometimes offer less expensive options or a wider array of benefits. However, the price can be [delays or denial](#) of needed medical care which Medicare requires MA plans to cover.

Tens of millions of denials are issued each year for both authorization and reimbursements by the MA private insurers, and the report found “widespread and persistent problems related to inappropriate denials of services and payment.” Hospitals and doctors complained about the insurance company tactics for years, and Congress is considering legislation to address those concerns.

“Medicare Advantage plans too often give insurance companies too much power to make medical decisions,” said **Joseph Peters, Jr.**, Secretary-Treasurer of the Alliance. “MA plans are contractually obligated to follow all of Medicare’s required coverage rules, and in many cases they are not. HHS needs to hold all MA plans accountable and ensure they deliver the health care benefits patients need when they need it.”

Sen. Warren, Experts Highlight Executive Actions to Lower Drug Prices

In [a letter](#) to HHS Secretary **Xavier Becerra**, Senator **Elizabeth Warren** (MA) outlined a number of executive actions that the **Biden** administration could take to lower the cost of prescription drugs.

Backed by legal and medical experts from Yale Law School, Harvard Medical School and Columbia Law School, the Senator provided [an extensive list of options](#) for lowering drug prices without additional Congressional intervention.

Sen. Warren mentions ‘government patent use power,’ as one action the Executive branch could take. This option formalizes the government’s ability to use any “invention described in and covered by a patent of the United States” without a license, provided that the use is “by or for the United States” and the patent holder is afforded “reasonable and entire compensation.” As recently as the 1960s and 1970s, federal agencies used government patent use power to procure low-cost versions of patented medicines.

Other possible actions come by way of the Bayh-Dole Act’s “royalty-free license” and “march-in rights.” Adopted in 1980, the Bayh-Dole Act was intended to ensure that the public would not be deprived of the benefits of inventions that it had effectively sponsored through government-funded research.

Royalty-free licenses to covered patents permit the government to manufacture drugs for its own use or license production on the government’s behalf. Sen. Warren writes that the plain text and statutory purpose of the Bayh-Dole Act make a strong case that this option encompasses production of drugs for use by government programs such as Medicare and Medicaid.

March-in licenses can be authorized if a patent holder has not taken “effective steps” to “achieve practical application” of a drug or if “action is necessary to alleviate health or safety needs which

are not reasonably satisfied” by the patent holder. Sen. Warren writes that excessive pricing alone should provide sufficient grounds for exercising march-in rights.

“As important as these Administrative actions are, these recommendations are not a substitute for strong Congressional action. Congress must put the needs of patients first, and pass legislation curbing the pharmaceutical industry’s monopoly power and allowing Medicare to negotiate lower prescription drug prices. A cap on the price of insulin is also important,” said **Richard Fiesta**, Executive Director of the Alliance. “Americans continue to pay the highest prices in the world for prescription drugs, and comprehensive action is needed.”

Alliance Celebrates May Day this Sunday



Sunday, May 1 is International Workers’ Day, also known as May Day, a time to celebrate all workers and the efforts of trade unions and the labor movement. It is also a day of remembrance, since it honors the workers who died during the Haymarket affair bombing in 1886 in Chicago while protesting for an eight-hour workday.

Alliance members across the country will join May Day events. For example, Florida Alliance members will be joining Florida AFL-CIO members for the May Day 2022 Rally and March [in downtown Miami](#) to commemorate the occasion. Hundreds of workers in South Florida who have been on the frontline of the COVID-19 pandemic and are experiencing rising costs of living and rent hikes are expected to march this Sunday. Low-wage earning workers, union workers, and labor organizations will be uniting to demand higher wages, protections on the job, and protections from the housing crisis.

“International Workers’ Day is a chance to highlight and promote the change we need,” said President **Roach**. “Legislatively, the best thing we can do as a nation in partnership with local action is to urge senators to pass the PRO Act, H.R. 842, which makes it easier to join or form a union. And that means better wages, health care, pensions and retirement security.”

The Alliance for Retired Americans is a national organization that advocates for the rights and well-being of over 4.4 million retirees and their families.