

May 18, 2020

William Tong
Attorney General
165 Capitol Ave.
Hartford, CT 06106

Dear Attorney General Tong,

Thank you again on your efforts on drug prices and in stopping profiteering during the pandemic. I write you today as part of a national effort, Lower Drug Prices Now.

There has been increased attention to pharmaceutical industry abuses like price-gouging on insulin and other medicines, deceptive marketing of opioids and prescription drug safety issues in recent years, but unfortunately that attention has not yet resulted in adequate reforms from federal lawmakers that make medicines more affordable and protect patients from harm. Despite appeals to lawmakers and to the drug corporations themselves, millions of people continue to go without medicine, to incur debt for prescriptions, or to face hard choices every day between taking doses and paying for food and rent. Even now, during the COVID pandemic that has already claimed nearly 80,000 American lives and disrupted the lives of millions more, there has been no action to ensure that the medicines people will need for treatment and prevention of the coronavirus will be affordable to everyone who needs them.

The impact of COVID- 19 has impacted our members and we are working to ensure that the vaccine is accessible and affordable. In conjunction with the [Lower Drug Prices Now](#) coalition, we urge you to investigate Jaguar Health's recent decision to triple the price of Mytesi, an act of unscrupulous profiteering during this pandemic.

Mytesi is an anti-diarrheal drug often taken by people living with HIV/AIDS to treat the gastrointestinal side effects caused by antiviral drugs. Some antiviral medicines are also being used in the treatment of COVID symptoms. Jaguar Health applied to the Food and Drug Administration for emergency approval to use this medicine as a treatment for COVID-19 symptoms. FDA refused the request but in the meantime, the corporation more than tripled the price of Mytesi from \$688.52 to \$2,206.52 per bottle.¹ Despite the FDA's initial decision, Jaguar continues in talks with federal agencies to look for ways to increase use of Mytesi for coronavirus patients.²

Raising the price of a potential COVID treatment is an unconscionable act of greed at a time when millions of Americans have lost their jobs and health insurance and are already facing

¹<https://www.reuters.com/article/us-health-coronavirus-drug-prices-jaguar/congresswomen-urge-jaguar-health-to-reverse-price-hike-on-drug-that-may-be-used-in-covid-19-patients-idUSKBN22G25C>

²<https://www.axios.com/pharma-jaguar-health-mytesi-drug-price-coronavirus-8ea874b1-9e75-47cf-ba47-475ef7d58e3b.html>

bigger expenses and higher prices for everything from hand sanitizer to food and dry goods. Jaguar's tripling the price of a potential medicine for COVID has already attracted the attention of Congressional leaders on the House Oversight Committee³ who are seeking answers, as we are, that justify this kind of increase during the biggest public health emergency of our lifetimes.

Leaders in the US House of Representatives Congresswoman Carolyn Maloney, Chair of the Committee on Oversight and Reform, and Congresswoman Jackie Speier, sent a letter to Jaguar Health CEO Lisa Conte requesting documents by May 18, 2020 - including all communications between or among all executives, employees, investors, board members or other agents of Jaguar Health regarding the decision to increase the list price of Mytesi effective on or around April 9, 2020.

This week Jaguar's shareholders will meet for an annual meeting to discuss the corporation's profits, policies and potential. It's not clear whether shareholders themselves may raise the issue of precipitous price gouging during the pandemic and how that action may create scrutiny and risk for the company. We hope so.

But we also know that prescription drug corporations' top priority is to maximize profit, not to support public health. That is why we are reaching out with this request for an investigation by your office.

Profiteering on medicine during a time of national crisis when an official emergency has been declared, the death toll is climbing and the economy has slowed to a crawl because of shuttered businesses, record unemployment and social distancing, could have dire consequences for the millions who will contract COVID and need medicines. We are urging elected officials at all levels to take action to protect the public by putting a stop to profiteering and holding corporations accountable for the harm they cause by jacking up the price of essential goods--like medicine--during a time when demand will be tremendous and resources limited.

Thank you for your consideration and I would appreciate the opportunity to discuss with you and our allies at Lower Drug Prices Now future efforts at your convenience.

Stay Safe,

Tom Swan
Executive Director

³<https://oversight.house.gov/news/press-releases/maloney-and-speier-seek-information-on-drug-company-s-triple-price-increase>