

COMPETITIVE PROBLEMS IN THE DRUG INDUSTRY 11955

No MAC would be proposed for any drug for which there is a pending or anticipated regulatory activity, including the establishment of a bioavailability requirement, that would warrant a delay in establishing a MAC for that drug.

No MAC would be finalized before interested persons had been given the opportunity to submit written comments and request a hearing. Finally, each MAC would be reviewed on a regular basis to assure its continued justification.

I want to emphasize that the MAC would not be set at the absolute lowest cost at which a drug is marketed; it would be the lowest cost at which the drug is generally available; that is the price at which pharmacists throughout the country can be assured of a continuing supply of that drug.

To assure access by physicians to any needed drug, the MAC limit would be waived when a prescriber certified in writing the necessity of a higher priced product.