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United States Senate

COMMITTEE ON FINANCE
WASHINGTON, DC 20510-6200

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February 25, 2020

VIA ELECTRONIC TRANSMISSION

Mr. Timothy C. Wentworth
President, Express Scripts and Cigna Services
Cigna Corporation

Dear Mr. Wentworth,

On April 2, 2019, the Senate Finance Committee sent you a letter as part of our investigation into the rising price of insulin and how the actions of pharmacy benefit managers (“PBM”) affect the drug supply chain and the cost borne by patients for these lifesaving medications (“April letter”). As the committee of jurisdiction over Medicare and Medicaid, the Finance Committee seeks to understand how Cigna’s practices impact the operation of these federal programs, the cost to taxpayers, and the out-of-pocket costs patients face.

Since sending that letter, our staff has engaged with your counsel for almost a year to remedy our production-related concerns. Despite these repeated attempts, the Committee has yet to receive a satisfactory production from your company. Cigna has failed to even attempt to answer many of the questions we posed, including Question 4 and its subparts, which seeks records pertaining to the company’s formulary placement and rebate negotiation processes. Our staff has also made clear to your counsel that our April 2019 request must include records relating to Cigna’s Value Assessment Committee. However, no records have been produced and you have failed to cite any objections that would explain your non-compliance.

Cigna’s unwillingness to provide the documents we requested fits an industry-wide pattern of fighting efforts to shed light on PBMs’ practices.¹ Families are struggling to keep up with rising costs, and they do not understand why they continue paying more money for a therapy that has remained largely unchanged for decades. Americans are demanding answers from PBMs and pharmaceutical companies, and we expect your company to begin providing them promptly.

¹ Robert Langreth et al., *The Secret Drug Pricing System Middlemen Use to Rake in Millions*, Bloomberg (Sept. 11, 2018), available at <https://www.bloomberg.com/graphics/2018-drug-spread-pricing/>; Office Of Inspector Gen., Dep’t of Health and Hum. Serv.’s, *Concerns with Rebates in the Medicare Part D Program* (2011), available at <https://oig.hhs.gov/oei/reports/oei-02-08-00050.pdf>

Your failure to comply with the Committee's requests has reached an endpoint. Accordingly, should you fail to provide responsive records pertaining to Question 4 and its subparts, and provide a production timeline for all other outstanding requests in the April letter by March 10, 2020, the Committee will issue a subpoena to require production of the records.

Should you have questions, please contact Joshua Flynn-Brown of Chairman Grassley's Committee staff and Peter Gartrell of Ranking Member Wyden's Committee staff at 202-224-4515.

Sincerely,



Charles E. Grassley
Chairman
Senate Finance Committee



Ron Wyden
Ranking Member
Senate Finance Committee