



VOICE OF BUSINESS

Businesses can't stand for government overreach

The implementation of government price controls has far-reaching consequences for all Americans, and is a severe overreach by the federal government. These concerns are compounded by the recent provisions introduced in the Inflation Reduction Act (IRA), which not only infringe upon the fundamental protections of free enterprise enshrined in our Constitution but also carry disastrous implications for our future economy.

As a result, we, along with the Michigan Chamber of Commerce and the U.S. Chamber of Commerce, have taken decisive legal action to pro-



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tect business rights by filing a federal lawsuit in the United States Southern District of Ohio court in Dayton. This litigation against the Department of Health and Human Services (HHS) and the Centers for Medicare and Medicaid Services (CMS) in response to these detrimental government price control measures that



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the federal government is forcing onto private industry.

We recognize that the price-setting mechanism outlined in the statute is far from a genuine negotiation process as the Center for Medicare and Medicaid Services would like the public to believe; rather, it is a scheme designed to wield

control over private business prices. This flawed price-control scheme lacks essential safeguards, infringes on fundamental freedoms and is riddled with significant legal shortcomings.

This statute provides no legal recourse for drug manufacturers, as many of the critical determinations made under the law are expressly exempted from judicial review. Subjecting any U.S. business to such a price-setting scheme would render it impossible to make informed investment decisions. Additionally, the statute concentrates an excessive amount of unchecked power within a single

executive agency, thereby violating the separation of powers enshrined in the Constitution.

These price controls introduced by the IRA will have long-term consequences for free enterprise and the competitiveness of the United States. If the government can establish price controls for essential medicines through an opaque regime without allowing for judicial review, it sets a dangerous precedent that could extend to other vital industries. This would have disastrous effects on our economy and individual rights.

We leave you with this note: the imposition of

government price controls hampers innovation and jeopardizes free enterprise across business as a whole. This is why the Dayton Area Chamber of Commerce and the Ohio Chamber of Commerce have stood up against these detrimental measures to safeguard the principles of free enterprise and protect the future well-being of business in the Dayton area, the State of Ohio and the United States.

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