

# United States Senate

WASHINGTON, DC 20510

March 22, 2018

Mr. Robert DiCrisci  
Chief Executive Officer  
Tri-Source Pharma, LLC  
80 SW 8<sup>th</sup> Street  
Suite 2660  
Miami, FL 33130

Dear Mr. DiCrisci:

Recent reports of price increases for off-patent drugs have demonstrated the need for continued oversight by the United States Senate.<sup>1</sup> We seek your cooperation so that we may better understand drug pricing and related regulatory and public policy concerns.

As Chairman and a Member of the Special Committee on Aging and Ranking Member of the Committee on Homeland Security and Governmental Affairs, we want to learn more about NextSource Biotechnology LLC's acquisition of the rights to sell lomustine, a prescription drug used to treat brain tumors and Hodgkin lymphoma. In particular, we would like to better understand the factors contributing to the rising cost of lomustine, which has increased nearly 1,400 percent since 2013 for the highest dose.<sup>2</sup>

In order to assist us in our investigation, we ask that you provide us with the following documents and information for the time period from January 1, 2011, to the present:

- (1) the company's gross and net revenues from sales of lomustine on an annual basis, including but not limited to specific amounts received from any federal, state, or local program and from any related entities;
- (2) the company's expenses relating to sales of lomustine on an annual basis, including but not limited to specific amounts expended for manufacturing, purchases of active pharmaceutical and other ingredients, research and development, FDA and other regulatory agency approval, marketing and advertising, and any unusual or non-recurring expenses;
- (3) the company's profits from sales of lomustine on an annual basis;

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<sup>1</sup> See S. SPEC. COMM. ON AGING, SUDDEN PRICE SPIKES IN OFF-PATENT PRESCRIPTION DRUGS: THE MONOPOLY BUSINESS MODEL THAT HARMS PATIENTS, TAXPAYERS, AND THE U.S. HEALTH CARE SYSTEM, S. REP. NO. 114-429 (2016).

<sup>2</sup> Peter Loftus, *Drug Prices Soar Without Generics*, WALL ST. J., Dec. 26, 2017, available at <https://www.wsj.com/articles/cancer-drug-price-rises-1400-with-no-generic-to-challenge-it-1514203201>.

- (4) all documents and communications referring or relating to cost estimates, profit projections, market share analysis, and other internal or external analyses relating to the company's current or future sales of this drug;
- (5) copies of all documents previously produced or to be produced in response to requests received from any other governmental entities; and
- (6) a list of all drugs sold by the company and relevant pricing information for any of such drugs that have increased in price by at least 200 percent in a single year.

Please provide the requested documents and information as soon as possible, but by no later than April 6, 2018.

In order to facilitate this production, please schedule a time to confer with our staff as soon as it is practicable.

We appreciate your attention to this matter. Should you have any questions, please do not hesitate to have your staff contact [REDACTED]. Please direct all official correspondence to the Aging Committee's Staff [REDACTED] and the Homeland Security and Governmental Affairs Committee's Staff [REDACTED].

Sincerely,

  
Susan M. Collins  
Chairman  
U.S. Senate Special Committee on Aging

  
Claire McCaskill  
Ranking Member  
U.S. Senate Committee on Homeland  
Security and Governmental Affairs

  
Catherine Cortez Masto  
United States Senator