

Federal PBM Transparency Update May 2010

Most Members of Congress will be back home over the Memorial Day recess which begins on Friday, May 28th. We would like to encourage as many pharmacists as possible to contact their Members of Congress to support the following bills. We also ask the State Association Executives and other organizations to raise the following issues with Members of Congress if they have meetings scheduled during the break:

PBM Reform: The Next Steps: H.R. 5234, *the PBM Audit Reform and Transparency Act of 2010* was recently introduced by Reps. Weiner (D-NY) and Moran (R-KS). This legislation expands the new PBM transparency requirements included in the health care reform bill to all plans both public and private plans. It is also the first federal legislation to try and reform PBM's abusive auditing practices.

DME Accreditation Exemption and Competitive Bidding: H.R. 5235, *the Medicare Access to Diabetes Supplies Act* was recently introduced by Reps. Welch (D-VT) and Rogers (R-MI). This legislation would exclude diabetic supplies provided by small pharmacies from DME competitive bidding. The bill defines small pharmacies using the SBA definition of \$7 million or less in annual sales. Excluding these supplies from competitive bidding is important for small pharmacies because they will unlikely be able to effectively participate in the competitive bidding program. That will reduce beneficiaries' access to diabetes testing supplies.

We have also attached some materials which can be used to send to Members of Congress and their staff as well as bag stuffers for pharmacies to provide to patients to ask them to call their legislators. We appreciate the help in educating Members of Congress about the importance of these bills to community pharmacy. Let us know if more information is needed. Thank you for the help.



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HR 5234 5235.pdf



HR 5235 One
Pager.pdf



H.R. 5324-PBM
Reform Audit.pdf

Mark Hendrickson
Manager, Public Affairs & Grassroots
National Community Pharmacists Association
100 Daingerfield Road
Alexandria, VA 22314
Direct: 703.838.2671
Main: 703.683.8200
Fax: 703.683.3619