We ask all community pharmacists to contact their Members of Congress and ask them to cosponsor these important bills. We are looking to identify Senate sponsors of this legislation.

Congressional Tax and Health Extenders Bill: Senate leaders continue to work on H.R. 4213, the American Jobs and Closing Tax Loopholes Act of 2010 (tax extenders bill) and hope to wrap up by next week. After learning that the Senate bill didn't include a six month extension (through June 30, 2011) of the increased federal medical assistance percentage (FMAP), originally included in the House version, NCPA, along with several other industry groups sent a letter to Senate Leadership urging them to add the extension back in the bill. Providing these additional funds to states will be critical to averting additional Medicaid provider cuts. The Senate later released a revised draft that does include the FMAP extension as well as a provision that would expand the 340B drug discount program to the inpatient setting. We will continue to monitor developments through final passage of tax extenders bill.

Congressional Letter on PBM Hearing: NCPA continues to seek cosponsors for H.R. 5234, PBM Audit Reform and Transparency Act of 2010. We ask that NCPA members contact their Members of Congress and ask them to cosponsor the bill.

This week, Reps. Peter Welch (D-VT) and Bruce Braley (D-IA) sent a letter to Chairmen Waxman (D-CA), Pallone (D-NJ) and Stupak (D-MI), requesting a hearing in the Energy and Commerce Committee to look into Pharmacy Benefit Managers (PBMs) and their aggressive business practices and their impact on patients and pharmacies. We thank these Members for their support of commumnity pharmacy!

NCPA also continues to work behind the scenes to encourage House Oversight and Government Reform Chairman Ed Towns (D-NY) to move H.R. 4899- the bill that would reform the way that the Office of Personnel Management contracts with PBMs in the Federal Employees Health Benefits Program.

Congressional Letter to Caterpillar: This week, Reps. Debbie Halvorson (D-IL) and Phil Hare (D-IL) sent a letter to Caterpillar addressing strong concerns about their new Employee Prescription Drug Plan . While this network tries to bypass the need for a PBM, it limits participation to a few large chain pharmacies in the Peoria, Illinois and surrounding areas. NCPA will continue to work with Members of Congress from Illinois to seek their help to include independents in this network as quickly as possible.

Hearing on Health Care Competition: NCPA submitted a statement to the U.S. Senate Judiciary Subcommittee on Antitrust, Competition Policy and Consumer Rights regarding FTC and DOJ antitrust oversight. NCPA comments included recommendations that the FTC and DOJ: (1) revise the 1996 Antitrust Enforcement Policy in Healthcare Guidelines to include the ability of pharmacists to collaborate to increase efficiencies and lower costs; (2) encourage and support federal and state efforts to regulate pharmacy benefits managers; and (3) implement a

comprehensive enforcement action against CVS Caremark to address the concerns of independent pharmacies and their patients.

DEA Administrator Hearing: NCPA has learned that the confirmation hearing for DEA Administrator nominee Michele Leonhart will likely be held sometime in July, after the Senate Judiciary Committee takes up the nomination of Elena Kagan to be a Supreme Court Justice. Leonhart's nomination hearing will give pharmacy an opportunity to have Senators ask her questions about important DEA related issues, such as the impact of the "nurse as agent" issue for the prescribing of controlled substances in long term care facilities

---

John M. Coster, Ph.D., R.Ph.
Senior Vice President, Government Affairs
National Community Pharmacists Association
100 Daingerfield Ave
Alexandria, VA 22314

703-683-8200 X184 - office
571-214-3936 - cell
john.coster@ncpanet.org