



## For Immediate Release

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### **NASP Applauds the Senate Finance Chairman for Working to Address Unfair PBM Practices**

#### **Continues to Urge Immediate Federal Action to Support Patient Pharmacy Choice and Protect Specialty Pharmacy Businesses**

WASHINGTON, DC – The National Association of Specialty Pharmacy (NASP) thanks U.S. Senate Finance Committee Chairman Ron Wyden (D-OR) for proactively engaging the Biden Administration to address illegal and egregious practices that are limiting patient access to the specialty pharmacy of their choice and specialty pharmacy businesses throughout the U.S.

On June 24, Chairman Wyden sent a [letter](#) to the Centers for Medicare and Medicaid Services (CMS), asking the agency to immediately “step up oversight and enforcement of Medicare Part D program requirements for PBMs that protect pharmacies from unfair contract practices.” Calling out those PBMs that are not adhering to CMS-issued Medicare Part D rules affecting pharmacy DIR fees and undermining payments to pharmacies to limit patient network access, the Chairman put a fine point on aggressive PBM actions that are both against existing law and in violation of rules the Biden Administration has established that went into effect as recently as January 2024.

The Chairman outlines immediate actions CMS must take (in summary):

- Enforce “Any Willing Pharmacy” requirements by ensuring that PBMs reimburse pharmacies at a minimum of the cost to acquire and dispense covered prescription drugs.
- Enforce, such as through auditing, the pharmacy price concessions provision included in the 2023 Medicare Part D final rule that requires all pharmacy price concessions be applied to negotiated prices at the point of sale under Part D.
- Implement standardized pharmacy performance measures.
- Review formal or informal complaints about PBM contracting practices under Part D received over the past 18 months to determine if the number of complaints is higher than in prior years.
- Respond to this letter with the number of formal or informal complaints received about PBM contracting practices over the past 18 months, a description of the type of complaints received, and the disposition of the complaints.

**“We thank Chairman Wyden for his continued leadership and ask that CMS use its existing authority to enforce the law and its own regulations without delay and while Congress continues to work to pass broader reforms to protect specialty pharmacies and their patients,” said Sheila Arquette, R.Ph., NASP President and CEO. “NASP remains grateful for the bipartisan work in the Senate and House to establish broader pharmacy protections within PBM reform legislative efforts. These efforts by CMS and Congress must be accomplished this year. Pharmacies and their patients with chronic, life-altering and sometimes life-threatening conditions have waited long enough!”**

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*NASP represents all specialty pharmacy industry stakeholders. Specialty pharmacies serve patients who have complex health conditions like cancer, rheumatoid arthritis, multiple sclerosis, cystic fibrosis, hemophilia, organ transplantation and rare diseases. Specialty pharmacies are accredited by an independent, third party nationally recognized accreditation organization ensuring consistent quality of comprehensive drug and disease management and clinical patient care services.*