



American Pharmacies LEGISLATIVE PRIORITY

Action Needed Now on Key Senate PBM Reforms

S. 2973, the Modernizing & Ensuring PBM Accountability Act (MEPA)

Passed by the Senate Finance Committee, S. 2973 mandates that PBMs disclose pharmacy ownerships and affiliations, as well as detailed pricing and rebate data. It delinks PBM compensation from drug prices by requiring that PBMs be paid only a flat service fee. The act also prohibits spread pricing in Medicaid and ensures that pharmacies are reimbursed fairly.

S. 3430, the Better Mental Health Care, Lower-Cost Drugs & Extenders Act

Passed by Senate Finance, S. 3430 lowers out-of-pocket costs for Medicare Part D enrollees by basing co-insurance on net prices inclusive of rebates. It codifies the requirement that Part D plans accept any willing pharmacy, improving pharmacy access. It also promotes the inclusion of more cost-effective biosimilar drugs in Med D formularies.

S. 1339, the Pharmacy Benefit Manager Reform Act

Passed by the Senate Health, Education, Labor, and Pensions Committee, S. 1339 requires PBMs to provide detailed semi-annual reports on drug pricing and spending, and mandates a GAO study of PBM impacts on formulary design and pharmacy access. The bill also reaffirms the prohibition of pharmacist gag clauses in private health plans.

PASSAGE OF THESE BILLS IS CRITICAL FOR PATIENTS & PHARMACIES

- The cost of prescription medications is rising far faster than inflation, forcing patients to skip doses or refills, or forgo their medications entirely.
- Independent pharmacies are collapsing under the weight of underwater reimbursements, DIR fees, PBM steering and other abuses. **Since the start of 2024, 663 independent pharmacies have closed their doors across the nation, accelerating the erosion of patient access to pharmacy care, especially in small towns and rural areas.**

▶ **These three bills are a critical step towards creating a more fair, transparent and patient-centered healthcare system. They prioritize patient access and affordability, and ensure that independent pharmacies can continue to provide critical healthcare services to their communities.**



American Pharmacies — a member-owned cooperative with 750 independent pharmacies in 38 states — has passed 20 pro-pharmacy bills around the country. Visit us at www.aprx.org.