

June 10, 2014

## **Open Letter to Congress in Support of Any Willing Pharmacy in the Medicare Part D Program**

Dear Members of Congress,

The undersigned organizations are writing to express our unified support for allowing “any willing pharmacy” to participate in Part D preferred pharmacy networks. Although the Centers for Medicare and Medicaid Services (CMS) declined to finalize a proposed regulatory provision to this effect in the recently released final 2015 Part D rule, they included commentary expressing their continued support for this concept based on their belief that opening restrictive pharmacy networks would have significant benefits including increased access for beneficiaries to reduced copayments. CMS also stated they do not believe this proposal would result in increased prices.

Right now, seniors in many communities face either trips of 20 miles or more to reach a “preferred” pharmacy or must assume higher co-pays to use a local pharmacy they have maintained a trusted relationship with for many years. Seniors should have greater access to discounted or “preferred” co-pays at independent community pharmacies.

There has been widespread, bipartisan support from more than 30 members of Congress and numerous consumer groups for ensuring that the “any willing pharmacy” standard applies to preferred pharmacy networks. You have heard of the difficulties beneficiaries are facing when trying to find a pharmacy close by and in their preferred network, especially in rural and underserved communities. We believe that this is simply not right.

Opponents to this common sense policy claim that a proposal of this type will raise costs to the Medicare Part D program and have relied heavily on published analyses that predate the Part D program. In response, CMS cautions that “any attempt to generalize these studies to the Part D benefit would need to incorporate multiple other variables” and that “the studies submitted offer only limited explanation of what trends in utilization, pricing and care managements surrounded these studies.” In fact, an analysis of “any willing pharmacy” in the Part D program conducted by a noted healthcare economist concluded that prices under an “any willing pharmacy” policy in the Part D program could remain the same or even decline.<sup>1</sup>

Millions of Americans currently lack sufficient access to basic healthcare services. A recent United States Public Health Service Report argued that pharmacists are “remarkably underutilized given their education, training, and closeness to the community.”<sup>2</sup> So why are pharmacies all across the country being excluded from participating in preferred pharmacy networks which would expand beneficiary access to potential cost savings?

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<sup>1</sup> Eisenstadt David. *How CMS’ Any Willing Pharmacy Could Reduce or Leave Drug Prices Unchanged*. Mar 2014.

<sup>2</sup> Giberson S, Yoder S, Lee MP. *Improving Patient and Health System Outcomes through Advanced Pharmacy Practice*. A Report to the U.S. Surgeon General. Office of the Chief Pharmacist. U.S. Public Health Service. Dec 2011.  
<http://www.usphs.gov/corpslinks/pharmacy/documents/2011AdvancedPharmacyPracticeReporttotheUSSG.pdf>

In conclusion, the undersigned organizations remain committed to ensuring that seniors have expanded access to Part D prescription medications and potential cost savings available from preferred pharmacies. We urge Congress to address this critical issue without delay.

Access-Rx America  
Alabama Pharmacy Association  
Alaska Pharmacists Association  
Alliance of Independent Pharmacists of Texas  
American Association of Colleges of Pharmacy  
American Pharmacies  
American Pharmacists Association  
American Pharmacy Cooperative, Inc.  
American Pharmacy Services Corp.  
American Society of Consultant Pharmacists  
AmerisourceBergen  
Arizona Pharmacy Association  
Arkansas Pharmacists Association  
Association of Community Pharmacists  
Association of Indian Pharmacists in America  
Astrup Drug, Inc.  
Auburn Pharmacies  
Bartell Drugs  
Brookshire Grocery Company  
California Pharmacists Association  
Cardinal Health  
CARE Pharmacies Cooperative, Inc.  
Caregiver Action Network  
Community Pharmacy Prescription Network  
Compliant Pharmacy Alliance Cooperative  
Connecticut Pharmacists Association  
DiCello & Associates, Inc.  
Discount Drug Mart, Inc.  
Doc's Drugs Ltd.  
Drug Emporium  
Fagen Pharmacy  
Federation of Pharmacy Networks  
Florida Pharmacy Association  
Food Marketing Institute  
Fruth Pharmacy  
Georgia Pharmacy Association  
GeriMed  
Gerould's Professional Pharmacy  
Good Day Pharmacy  
GPhA Academy of Independent Pharmacy

Guardian Pharmacy  
Hartig Drug  
H. D. Smith Wholesale Drug Co.  
HealthHIV  
HealthPlan Data Solutions LLC  
Hi-School Pharmacy Inc.  
HomeTown Pharmacy Inc.  
Idaho State Pharmacy Association  
Illinois Pharmacists Association  
Independent Pharmacy Alliance  
Independent Pharmacy Cooperative  
Innovatix, LLC  
International Academy of Compounding Pharmacists  
Kansas Independent Pharmacy Service Corp.  
Kansas Pharmacists Association  
Kentucky Pharmacists Association  
Keystone Pharmacy Purchasing Alliance  
King Kullen Pharmacies  
Kinney Drugs, Inc.  
Klingensmith's Drug Stores  
Lewis Drug  
Louisiana Independent Pharmacies Association  
Mallatt's Homecare Pharmacy  
Maryland Pharmacists Association  
Massachusetts Pharmacists Association  
McKesson Corp.  
Medicenter Pharmacies  
Merwin LTC Pharmacy  
Michigan Pharmacists Association  
Minnesota Pharmacists Association  
Mississippi Independent Pharmacies Association  
Mississippi Pharmacists Association  
Missouri Pharmacy Association  
Montana Pharmacy Association  
Morris & Dickson Co. LLC  
Mutual Wholesale Drug Company  
National Alliance for Caregiving  
National Alliance of State Pharmacy Associations  
National Association of Chain Drug Stores  
National Community Pharmacists Association  
National Federation of Independent Business  
National Grange  
National Grocers Association  
National Home Infusion Association  
National Indian Pharmacy Association  
National Rural Health Association  
Navarro Discount Pharmacies

Nebraska Pharmacists Association  
New Jersey Pharmacists Association  
New Mexico Pharmacists Association  
Niemann Foods, Inc.  
North Dakota Pharmacists Association  
North Dakota Retail Association  
Northeast Pharmacy Service Corporation  
Ohio Pharmacists Association  
Osborn Drugs, Inc.  
PAAS National  
Pace Alliance  
Partners in Pharmacy Cooperative  
PBA Health  
PCCA  
Pennsylvania Pharmacists Association  
Pharmacists Society of the State of New York  
Pharmacists United for Truth and Transparency  
Pharmacy First  
Pharmacy Providers of Oklahoma, Inc.  
Pharmacy Society of Wisconsin  
Philadelphia Association of Retail Druggists  
PPSC  
QualityCare Pharmacies  
Rochester Drug Cooperative, Inc.  
RxPlus Pharmacies  
RxPreferred Benefits  
Sav Mor Pharmacies  
Smith Drug Company  
South Carolina Pharmacy Association  
South Dakota Retailers Association  
Southern Pharmacy Cooperative  
Tennessee Pharmacists Association  
Texas Pharmacy Association  
Texas Pharmacy Business Council  
Third Party Station  
Thrifty White Pharmacy  
University of Maryland Eastern Shore  
U.S. Pain Foundation  
Value Drug Company  
Vermont Retail & Grocers Association  
Virginia Pharmacists Association  
Virginia Retail Merchants Association  
Washington State Pharmacy Association  
West Virginia Pharmacists Association  
Wholesale Alliance, LLC  
Wilkinson Pharmacy, Inc.