

Congress of the United States
Washington, DC 20515

January 16, 2018

Ms. Seema Verma
Administrator
Centers for Medicare & Medicaid Services
200 Independence Avenue, S.W.
Washington, D.C. 20201

Dear Administrator Verma:

We write to express our appreciation and support for a proposal included as part of the Centers for Medicare and Medicaid Services' (CMS) proposed rule for the 2019 Medicare Part D plan year. This proposal would increase transparency and accuracy in Medicare Part D prescription drug spending and reporting.

In June 2016, a bipartisan group of 30 members of the House of Representatives raised concerns with pharmacy price concessions in Part D and the problems that they posed for beneficiary cost sharing, as well as federal reinsurance and low income cost-sharing subsidies paid by CMS to Part D plan sponsors.

We applaud the agency for listening to our concerns and for its proposal that would effectively prohibit retroactive pharmacy Direct and Indirect Remuneration (DIR) fees, which are clawed back by Part D plan sponsors, or their Pharmacy Benefit Manager (PBM) intermediaries, as much as 6 months after a prescription has been filled. We have heard from countless pharmacists in the communities we represent about how these DIR fees threaten their businesses as they do not know when these fees will be collected, how large they may be, and whether the final reimbursement total will even cover the cost of the drug dispensed.


While the agency's proposal would provide some certainty and predictability for community pharmacists on reimbursement rates, CMS also noted that this proposal would reduce net beneficiary costs by \$10.4 billion. Senior citizens should not be forced to pay cost sharing on artificially inflated drug prices at the pharmacy counter that quickly force them into the coverage gap, therefore this proposal is vital in reducing costs for our vulnerable seniors and ensuring they have access to the medications they need.

We thank you for listening to and addressing concerns in regard to the negative impact of retroactive pharmacy DIR fees and urge the Administration to immediately finalize this proposal in the 2019 final Part D rule, rather than continuing to collect further information.

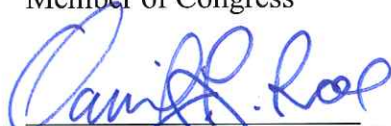
Sincerely,

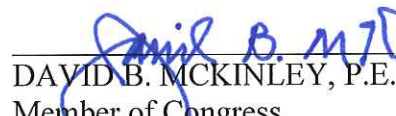

H. MORGAN GRIFFITH
Member of Congress


AUSTIN SCOTT
Member of Congress


EARL L. 'BUDDY' CARTER
Member of Congress


SCOTT DESJARLAIS
Member of Congress


DAVID P. ROE, M.D.
Member of Congress



DAVID B. MCKINLEY, P.E.
Member of Congress



LEE ZELDIN
Member of Congress



CATHY MCMORRIS RODGERS
Member of Congress

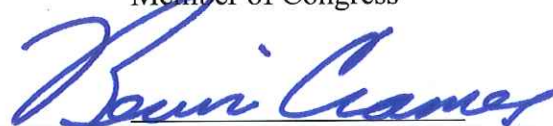

LLOYD DOGGETT
Member of Congress


PETER WELCH
Member of Congress



DAVE LOEBSACK
Member of Congress



ROBERT B. ADERHOLT
Member of Congress



STEVE KING
Member of Congress


KEVIN CRAMER
Member of Congress


RICK W. ALLEN
Member of Congress


RICK CRAWFORD
Member of Congress


TULSI GABBARD
Member of Congress


COLLIN C. PETERSON
Member of Congress



CLAY HIGGINS
Member of Congress



CHUCK FLEISCHMANN
Member of Congress



EVAN JENKINS
Member of Congress



CHRIS STEWART
Member of Congress



JAMES COMER
Member of Congress



JOYCE BEATTY
Member of Congress



JAIME HERRERA BEUTLER
Member of Congress



DAN NEWHOUSE
Member of Congress



NEAL P. DUNN, M.D.
Member of Congress



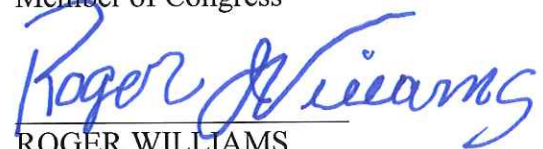
LOUIE GOHMERT
Member of Congress




BRADLEY BYRNE
Member of Congress



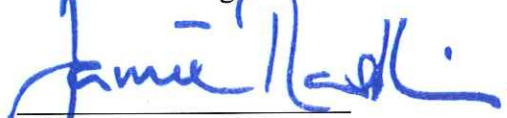
GLENN GROTHMAN
Member of Congress



ROGER WILLIAMS
Member of Congress



TOM O'HALLERAN
Member of Congress



JAMIE RASKIN
Member of Congress



A. DREW FERGUSON IV, D.M.D.
Member of Congress



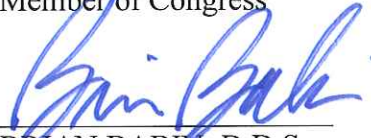
WILLIAM R. KEATING
Member of Congress



SEAN DUFFY
Member of Congress



MIKE ROGERS
Member of Congress



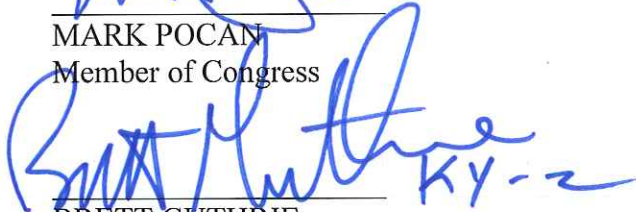
BRIAN BABIN, D.D.S.
Member of Congress



LOU BARLETTA
Member of Congress



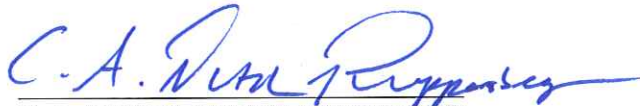
MARK POCAN
Member of Congress



BRETT GUTHRIE
Member of Congress



TOM GARRETT
Member of Congress



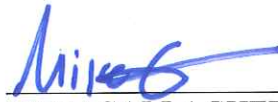
C.A. DUTCH RUPPERSBERGER
Member of Congress



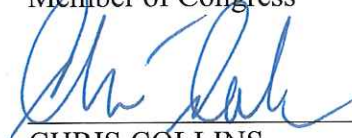
MARTHA ROBY
Member of Congress



JOHN DUNCAN, JR.
Member of Congress



MIKE GALLAGHER
Member of Congress



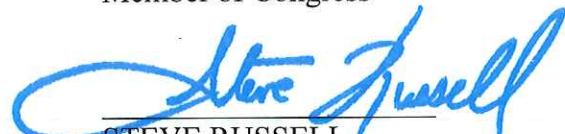
CHRIS COLLINS
Member of Congress



DAVE BRAT
Member of Congress



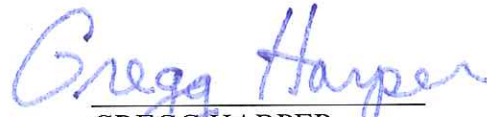
SEAN PATRICK MALONEY
Member of Congress



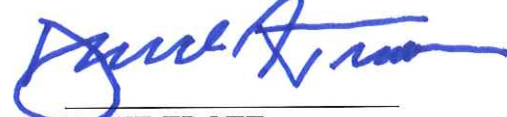
STEVE RUSSELL
Member of Congress



FRENCH HILL
Member of Congress



GREGG HARPER
Member of Congress



DAVE TROTT
Member of Congress



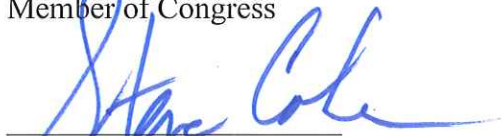
MAC THORNBERRY
Member of Congress



DOUG COLLINS
Member of Congress



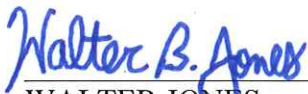
MICHELLE LUJAN GRISHAM
Member of Congress



STEVE COHEN
Member of Congress



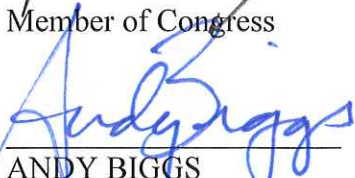
TIM RYAN
Member of Congress



WALTER JONES
Member of Congress



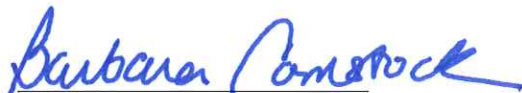
MADELEINE Z. BORDALLO
Member of Congress



ANDY BIGGS
Member of Congress



BOB GOODLATTE
Member of Congress



BARBARA COMSTOCK
Member of Congress



BLAKE FARENTHOLD
Member of Congress



DANIEL WEBSTER
Member of Congress



ROGER MARSHALL, M.D.
Member of Congress



VICENTE GONZALEZ
Member of Congress



ROD BLUM
Member of Congress



JOHN CULBERSON
Member of Congress



SALUD O. CARBAJAL
Member of Congress



MO BROOKS
Member of Congress



TED S. YOHO, D.V.M.
Member of Congress

Pete Sessions

PETE SESSIONS
Member of Congress

Mike Coffman

MIKE COFFMAN
Member of Congress

Mark Desaulnier

MARK DESAULNIER
Member of Congress

Rodney Davis

RODNEY DAVIS
Member of Congress

Mia Love

MIA LOVE
Member of Congress

Jeff Fortenberry

JEFF FORTENBERRY
Member of Congress

Eddie Bernice Johnson

EDDIE BERNICE JOHNSON
Member of Congress

Henry Cuellar

HENRY CUELLAR
Member of Congress