

January 22, 2015

The Honorable Fred Upton
Energy and Commerce Committee
Washington, DC 20515

The Honorable Frank Pallone
Energy and Commerce Committee
Washington, DC 20515

The Honorable Paul Ryan
Ways and Means Committee
Washington, DC 20515

The Honorable Sander Levin
House Ways and Means Committee
Washington, DC 20515

RE: Medicare Part D Pharmacy Network Problems

Dear Chairman Upton, Ranking Member Pallone, Chairman Ryan and Ranking Member Levin:

This year's Medicare Part D rollout has been especially troubling for many Medicare beneficiaries, their caregivers, and independent community pharmacists. Since January 1, 2015, we have been hearing from pharmacy small business owners across the country whose patients are being told by a major health plan that they can't have their prescriptions filled at their pharmacy of choice even though CMS' own Medicare Plan Finder, as well as the health plan's own website and customer services representatives indicated that their independent pharmacy was included in this network when they signed up.

In most cases, there have been delays in obtaining medications for these seniors who were misled, which may lead to severe health outcomes. Moreover, many seniors have had to incur additional out-of-pocket costs to continue to obtain their medications at their pharmacy of choice, which was misrepresented as being in their plan's network.

Even though both the health plan and CMS were aware of the incorrect marketing information before the new plan year started, it is our understanding that the health plan didn't notify pharmacies until after the end of 2014, when it was too late. We are extremely concerned that a problem of this magnitude might be exacerbated next year unless immediate action is taken to determine what led to these problems and proper controls enacted to ensure this does not happen to vulnerable Medicare beneficiaries again.

This problem has affected a reported 50,000 seniors across the country and demands Congressional action. Accordingly, in light of the gravity of this situation, we respectfully request that you schedule a hearing to carefully investigate these alarming problems seniors have dealt with in the 2015 plan year, and ensure that this does not happen again. We appreciate your consideration of our request.

Sincerely,



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