



2026

INDEPENDENT COMMUNITY PHARMACY LEGISLATIVE PRIORITIES

2026 SENATE PRIORITIES

There are several pharmacy benefit manager reforms that continue to garner broad bipartisan and bicameral support but have not yet passed. We urge members of the Senate to cosponsor and swiftly pass:

- The ***PBM Price Transparency and Accountability Act*** (S. 3345):
 - Introduced by Senate Finance Committee Chairman Mike Crapo (R-Idaho) and Ranking Member Ron Wyden (D-Ore.). Cosponsors include Senate Majority Leader John Thune (R-S.D.) and Majority Whip John Barrasso (R-Wyo.) along with Sens. Michael Bennet (D-Colo.), Marsha Blackburn (R-Tenn.), Catherine Cortez Masto (D-Nev.), Bill Cassidy (R-La.), Maggie Hassan (D-N.H.), John Cornyn (R-Texas), Ben Ray Lujan (D-N.M.), Steve Daines (R-Mont.), Tina Smith (D-Minn.), Chuck Grassley (R-Iowa), Mark Warner (D-Va.), James Lankford (R-Okla.), Raphael Warnock (D-Ga.), Roger Marshall (R-Kan.), Peter Welch (D-Vt.), Sheldon Whitehouse (D-R.I.) and Thom Tillis (R-N.C.). This bill includes PBM reforms that were agreed to on a bipartisan, bicameral basis in December 2024, such as **these pro-pharmacy provisions**:
 - **Medicaid managed care payment reform/spread pricing ban** – Moves to a fair and transparent pharmacy reimbursement system in Medicaid managed care programs based on average acquisition costs plus the state's Medicaid fee-for-service dispensing fee. This legislation requires all pharmacies to respond to the National Average Drug Acquisition Costs (NADAC) survey. **It also saves taxpayers nearly \$3 billion.** This provision is also included in the *Protecting Pharmacies in Medicaid Act* (S. 927).
 - **Reasonable and relevant contracts in Medicare Part D** – Requires the Centers for Medicare & Medicaid Services to define and enforce “reasonable and relevant” Medicare Part D contract terms, including those related to reimbursements, and requires CMS to create a process for pharmacies to report contract violations. This provision is also included in the *Patients Before Middlemen (PBM) Act* (S. 882).
- The ***Pharmacy Benefit Manager Transparency Act*** (S. 526):
 - Introduced by Sens. Maria Cantwell (D-Wash.) and Chuck Grassley (R-Iowa). Bans deceptive, unfair pricing schemes; prohibits spread pricing and arbitrary clawbacks of payments made to pharmacies; and requires PBMs to report to the Federal Trade Commission how much money they make through spread pricing and pharmacy fees. The legislation also clarifies the enforcement authority of the FTC and state attorneys general to prohibit unfair or deceptive business practices that PBM-insurers use against community pharmacies.
- The ***Ensuring Community Access to Pharmacist Services Act*** (S. 2426) (***ECAPS***):
 - Introduced by Sens. John Thune (R-S.D.), Mark Warner (D-Va.), Thom Tillis (R-N.C.), Steve Daines (R-Mont.), Maggie Hassan (D-N.H.), Elizabeth Warren (D-Mass.), Peter Welch (D-Vt.), and Catherine Cortez Masto (D-Nev.). Ensures Medicare beneficiaries can easily access health care services by authorizing pharmacists to test and treat COVID-19, flu, respiratory syncytial virus (RSV), and strep throat. These policies recognize pharmacists and the role they have in improving health care access by establishing Medicare Part B direct reimbursement for these pharmacist services. Independent pharmacies have played a large role at both the federal and state levels in testing for COVID-19 and administering COVID-19 vaccines to those in their communities and in long-term care facilities, and this legislation would ensure continued access for patients to services at their local pharmacy.