

118TH CONGRESS
2D SESSION

H. R. 10050

To require the Secretary of Health and Human Services to conduct a study
on pharmacy benefit manager audit practices.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 25, 2024

Ms. MALOY (for herself, Mr. KRISHNAMOORTHY, and Mrs. HARSHBARGER) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To require the Secretary of Health and Human Services
to conduct a study on pharmacy benefit manager audit
practices.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. STUDY ON PHARMACY BENEFIT MANAGER**
4 **AUDIT PRACTICES.**

5 Not later than 1 year after the date of the enactment
6 of this Act, the Secretary of Health and Human Services
7 shall, taking into account input from independent phar-
8 macists, pharmacy benefit managers, health care pro-

1 viders, and appropriate agencies, conduct a study and sub-
2 mit to Congress a report on audit practices of pharmacy
3 benefit managers with respect to drugs dispensed under
4 the Medicare and Medicaid programs, group health plans,
5 and group or individual health insurance coverage. Such
6 report shall include the following:

7 (1) An assessment of the financial and oper-
8 ations impacts of current pharmacy benefit manager
9 audit requirements on independent and other retail
10 community pharmacies.

11 (2) An evaluation of the appropriateness of cur-
12 rent purchase documentation timeframes in relation
13 to medication shelf lives, including with respect to
14 medications that have a shelf life approved by the
15 Food and Drug Administration of 2 years or more.

16 (3) An evaluation of the transparency of cur-
17 rent and historic pharmacy benefit manager audit
18 requirements and recommendations on how to make
19 such requirements more transparent and less bur-
20 densome on pharmacists.

21 (4) Best practices for pharmacy benefit man-
22 ager audit processes that ensure fairness and ease
23 burdens on pharmacists without compromising the
24 integrity of the audit.

○