

[DISCUSSION DRAFT]

118TH CONGRESS
2D SESSION

H. R. _____

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

IN THE HOUSE OF REPRESENTATIVES

Ms. MALOY introduced the following bill; which was referred to the Committee
on _____

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. SHORT TITLE.**

4 This Act may be cited as the “_____ Act
5 of 2024”.

1 **SEC. 2. STUDY ON PHARMACY BENEFIT MANAGER AUDIT**
2 **PRACTICES.**

3 Not later than 1 year after the date of the enactment
4 of this Act, the Secretary of Health and Human Services
5 shall, taking into account input from independent phar-
6 macists, pharmacy benefit managers, health care pro-
7 viders, and appropriate agencies, conduct a study and sub-
8 mit to Congress a report on audit practices of pharmacy
9 benefit managers with respect to drugs dispensed under
10 the Medicare and Medicaid programs, group health plans,
11 and group or individual health insurance coverage. Such
12 report shall include the following:

13 (1) An assessment of the financial and oper-
14 ations impacts of current pharmacy benefit manager
15 audit requirements on independent and other retail
16 community pharmacies.

17 (2) An evaluation of the appropriateness of cur-
18 rent purchase documentation timeframes in relation
19 to medication shelf lives, including with respect to
20 medications that have a shelf life approved by the
21 Food and Drug Administration of 2 years or more.

22 (3) An evaluation of the transparency of cur-
23 rent and historic pharmacy benefit manager audit
24 requirements and recommendations on how to make
25 such requirements more transparent and less bur-
26 densome on pharmacists.

1 (4) Best practices for pharmacy benefit man-
2 ager audit processes that ensure fairness and ease
3 burdens on pharmacists without compromising the
4 integrity of the audit.