



Board Officers

March 8, 2023

Shannon Stephenson, President
Cempa Community Care

VIA EMAIL

Rob Renzi, Vice President
Big Bend Cares

The Honorable Maria Cantwell
511 Hart Senate Office Building
U.S. Senate
Washington, D.C. 20510

The Honorable Charles Grassley
135 Hart Senate Office Building
U.S. Senate
Washington, DC 20510

Mark Malahosky, Treasurer
Trillium Health

Mike Lee, Secretary
Evergreen Health Services

Re: Support for S. 127, Pharmacy Benefit Manager Transparency Act of 2023

John Hassell, At-Large
AIDS Healthcare Foundation

Dear Senators Cantwell and Grassley,

Tony Mills, At-Large
Men's Health Foundation

Max Wilson, At-Large
CAN Community Health

Sean DeYoung, At-Large
Allies for Health + Wellbeing

Thank you for introducing S. 127, the Pharmacy Benefit Manager Transparency Act of 2023. Ryan White Clinics for 340B Access (RWC-340B) is a national association of HIV/AIDS healthcare clinics and service providers receiving support under the Ryan White Comprehensive AIDS Resources Emergency (CARE) Act. RWC-340B lends its strong support to the legislation. Our members applaud your efforts to increase transparency on predatory pharmacy benefit manager (PBM) practices because these practices usurp the benefits of the 340B drug discount program and thwart the mission of Ryan White clinics to provide care to underserved patients living with HIV/AIDS.

As you know, Ryan White clinics are dedicated to caring for low-income patients living with HIV/AIDS, and supporting high-risk individuals and communities. RWC-340B members provide primary care, case management, and other support services for persons living with HIV/AIDS.

S. 127 is an important step in combatting harmful discriminatory and predatory practices by PBMs and other third-party payers. These payers have been undermining the benefit of the 340B drug discount program by offering 340B participating providers lower reimbursement rates than those offered to non-340B entities. PBMs misappropriate 340B discounts for their own benefit at the expense of communities and patients served by the safety net providers for which the 340B savings were intended. The purpose of giving qualified safety net providers access to 340B pricing is to enable them to stretch their scarce resources so that they may “reach more eligible patients” and “provid[e] more comprehensive services.” PBMs that offer covered entities lower reimbursement rates diminish the entities’ ability to provide critical care to their patients.

RWC-340B supports the legislation’s transparency provisions, including the requirements that PBMs annually report certain data to the Federal Trade Commission (FTC) and that the FTC report to Congress its findings on PBM practices. We appreciate that the bill requires the FTC to recommend to Congress additional policy and legislative solutions to curtail predatory practices. We hope that this increase in transparency will help the FTC to identify additional means to address anti-340B predatory practices by PBMs in its report to Congress.



We applaud you for seeking to gain greater oversight over PBMs. S. 127 is an important and necessary step toward achieving that goal.

Sincerely,

A handwritten signature in blue ink that reads "Shannon Stephenson". The signature is written in a cursive, flowing style.

Shannon Stephenson
President, RWC-340B