

NCPA Weekly Update **August 22-26, 2022**

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NCPA Participates in Roundtable Discussion with FTC Commissioner Alvaro Bedoya

NCPA on Thursday participated in a roundtable discussion with FTC Commissioner Alvaro Bedoya and other industry representatives including transparent PBMs, patient groups, regional chains, and pharmacy buying groups. The group discussed PBM-related issues including the Express Scripts/Prime "collaboration," vertical consolidation and how consolidation has led to consumer harm in the form of increased prices and less access. The discussion also focused on how PBMs and their affiliated insurance companies block data access that could lead to lower consumer prices and competitive offerings. The group also discussed PBM-affiliated group purchasing organizations and the role they play in masking fees and formulary rebates obtained from manufacturers outside of the payor contracts.

NCPA's Month of Action Continues

NCPA's Month of Action rolls on as community pharmacists continue to host legislators in their pharmacies. Recent visits include Sen. Robert Casey (D-Pa.), a member of the Senate Finance Committee visiting Eric's Rx Shop and Reps. James Comer (R-Ky.) the ranking member of the House Oversight and Government Reform Committee visiting Tom's Family Pharmacy, John Curtis (R-Utah), a member of the House Energy and Commerce Committee visiting Santaquin Pharmacy, Sanford Bishop (D-Ga.) visiting Adams Family Pharmacy, and Jennifer Wexton (D-Va.) visiting Teds Pharmacy.

These are just a few of the many pharmacy visits hosted by NCPA members over the past couple of weeks.

Hosting a legislator or their staff member in your pharmacy is an effective way to build a lasting relationship. Check out [this video](#) of Rep. Buddy Carter (R-Ga.) and NCPA Vice President Michael Kim discussing how to effectively host a legislator. We're asking all community and LTC pharmacists to participate in our [Month of Action](#). While the August recess is winding down, it looks likely that Congress will also be out of session for most of October, so if you have not yet extended an invitation don't delay any further! Please let us know of your interest in participating by completing this [interest form](#) or by emailing [Michael Rule](#) and submit your invites to your legislators as soon as possible.

NCPA Joins 13 Other Pharmacy Organizations on Letter to HHS on Monkeypox

NCPA joined 13 other pharmacy organizations in [a letter](#) to HHS urging specific authorization for pharmacists, pharmacy students and pharmacy technicians, to be able to order and administer FDA authorized or approved monkeypox vaccines, testing and therapeutics. The letter also urged HHS to proactively coordinate with payers, including Medicare and Medicaid, to ensure adequate reimbursement is available to support access to these services when provided by pharmacists.

NCPA Meets with CMS to Discuss Technical Updates to Medicare Part D/DIR Final Rule

NCPA staff recently met with CMS to discuss technical updates to the Medicare Part D/DIR final rule. Back in July, CMS had proposed [specific updates](#) to the Prescription Drug Event (PDE) file, which contains prescription drug cost and payment data that allows CMS to make payments to plans and otherwise administer the Part D benefit. NCPA had submitted [comments](#) to those proposed updates, and NCPA's meeting with CMS served to elaborate on those comments.

Two Florida Pharmacists Win their Primaries for State House of Representatives

This week, two pharmacists who are candidates for the Florida House of Representatives won their respective primaries. [Shane Abbott](#) (DeFuniak Springs) is a pharmacist and owner of The Prescription Place who is running for Florida's House District 5 seat. [Dr. Gallop Franklin II](#) (Tallahassee) is a pharmacist and professor at Florida A&M University's College of Pharmacy who is running for Florida's House District 8 seat.

Shane Abbott is now Representative-Elect Shane Abbott as he will not face an opponent in November's general election. Congratulations to both and the best of luck to Dr. Franklin in November! For more information on these fantastic candidates and how you can help click the candidate's name.

Washington State Joins the Centene Settlement Train

This week, the Washington State Attorney General [announced that Centene would pay the state](#) a whopping \$33.3 million for overcharging Medicaid. Attorney General Bob Ferguson called this Medicaid fraud recovery "the second-largest in state history." The breakdown of settlement: \$19m-State of Washington, \$13.3M federal portion for administration of state Medicaid program; \$1M-whistleblower. This happened while there is an ongoing battle between Washington's Medicaid program and pharmacists over Medicaid dispensing fees that are well below the national average. Centene's settlement with Washington State over fraudulent practices in Medicaid is far from their first. In the last two years, Centene has entered into similar settlements with Mississippi, Kansas, New Hampshire, Ohio, New Mexico, Arkansas and Illinois.

Arkansas Warns PBMs to Stop Charging Illegal Fees

In a recently released [bulletin](#), the Arkansas Insurance Commissioner made clear to PBMs that they are prohibited from charging pharmacies any fees related to network participation, including pharmacy credentialing or re-credentialing fees. The bulletin was released in response to complaints from pharmacies about these illegal fees. This highlights the importance of reaching out to your state insurance commissioner when you believe a PBM is violating the law. NCPA has [resources](#) to make filing complaints easier.

Kaiser Family Foundation Releases Charts on 2022 Part D Medicare Enrollment and Costs

This week, the Kaiser Family Foundation released a series of charts and data on 2022 Medicare drug plan enrollment and costs. Key findings include:

- Enrollment in Medicare Advantage prescription drug plans (MA-PDs) has surpassed enrollment in stand-alone prescription drug plans (PDPs) for the first time ever, at 25.8 million vs 23.1 million enrollees, respectively.
- UnitedHealth, Humana, and CVS have a combined share of 57 percent of all Part D enrollees, similar to last year. The average monthly premium for PDPs significantly exceeds that of MA-PDs, at \$40 vs \$11, respectively.
- Over 50% of Part D enrollees (MA-PD and PDP enrollees combined) pay \$0 copay for preferred generics in 2022, but many enrollees pay \$10 or more per prescription for non-preferred generics.
- 63 percent of enrollees in MA-PDs, vs only 14 percent of enrollees in PDPs, pay the maximum 33% co-insurance for specialty tier drugs.

Click [here](#) for more details.

NCPA Supports Creation of Temporary Process for Patient Assessment Claim

NCPA staff representing independent community pharmacies at the recent NCPDP Joint Technical Work Group meeting voted in support of a recommendation to uncouple the patient assessment and dispensing fee for Paxlovid. The approved recommendation now allows pharmacists to submit a claim using the prescription billing pathway for the patient assessment required to prescribe Paxlovid, whether the antiviral drug is ultimately prescribed or not. This process is temporary and will end when the public health emergency expires and does not create a requirement for a PBM to pay the claim. The price of the patient assessment can still be submitted to a medical benefit (if the pharmacist is an in-network provider) or collected from a patient. NCPA continues to advocate to CMS to allow pharmacists to be reimbursed for a patient assessment by Medicare. Read more about [antiviral assessment billing](#).

APC Letter, Supported by NCPA, Generates 1,957 Physician Signatures

The Alliance for Pharmacy Compounding (APC) would like to thank NCPA and its members for assisting it in an advocacy campaign regarding compounded hormones. APC was able to secure [1,957 physician signatures](#) to a letter to FDA Commissioner Robert Califf (with copies going to congressional leaders) advocating for compounded hormones. APC had previously asked NCPA members to send prescribing physicians this letter to sign and send, urging the FDA not to restrict compounded hormone therapy based on a [discredited report it commissioned](#), and instead to base any decision about compounded hormones on solid evidence. APC's letter also called on FDA to avoid any action that might impede patient access to life-enhancing compounded hormones.

NCPA Supports Nebraska Pharmacists Association's Efforts in Expanding Scope of Practice

Earlier this month, NCPA sent a [letter](#) to the Nebraska Department Health and Human Services to support the Nebraska Pharmacists Association's application to request a review of state statute to authorize pharmacy technicians to vaccinate individuals under a licensed pharmacist's supervision. This review comes after the introduction of [Legislative Bill 812](#), for which NCPA along with the American Pharmacists Association and National Alliance of State Pharmacy Associations sent a [letter of support](#) earlier in the year.

NCPA State Legislative Activity Update

NCPA tracks state legislation related to our top three state priorities: [Medicaid reform](#), [scope of practice and compensation for services](#), and [PBM reform and regulation](#). Click each issue for a report of bills that have been introduced so far this session specifically dealing with these three issue areas. You can access the individual bill language and basic information on the bill by clicking on the bill numbers in the attached report. Bills that have moved this week are listed at the top in the “Recently Updated” section.