

March 24, 2020

Sent electronically to: Amy.Larrick@cms.hhs.gov; Craig.Miner@cms.hhs.gov.

Ms. Amy Larrick
Director, Medicare Drug Benefit and C and D Data Group
Centers for Medicare & Medicaid Services
Department of Health and Human Services
7500 Security Boulevard
Baltimore, MD 21244

Re: NCPA Sends Small Business Community Pharmacy Recommendations, Needs to Administration's Coronavirus Task Force

Dear Amy and the Part D Team,

I wanted to check in and let you know that since CPI released the guidance last Friday on medication delivery or dispensing each PBM has been putting out various guidance to pharmacies.

CMS made clear in its notice the following: "We are making clear that HHS does not require and will not audit for patient signatures as proof of delivery for any medications, including for controlled substances."

However, as you can see from the PBM notices there are still requirements on pharmacies to document various aspects of proof of delivery. NCPA's concern is PBMs will come back and audit our members on these various notices they are releasing even though HHS will not audit the plans.

Can CMS please make clear that PBMs are NOT able to audit pharmacies in the future for patient signatures as proof of delivery for any medications during this emergency period?

Also, I wanted to reiterate our ask that CMS require PBM's to suspend all pharmacy audits at this time, both in store and desk audits. We did get notice last night that Express Scripts did send a notice to all pharmacies and I just saw that Prime Therapeutics did as well, suspending audits so that's good news but doesn't apply across the board.

Thanks,



Ronna B. Hauser, PharmD
Vice President, Policy & Government Affairs Operations
National Community Pharmacists Association

CC: Hubbard, Whitney (CMS/CM)
Bendewald, Andrea (CMS/CM)