April 27, 2020

The Honorable Nancy Pelosi
Speaker of the House
United States House of Representatives
H-232, U.S. Capitol
Washington, D.C. 20515

The Honorable Kevin McCarthy
Minority Leader
United States House of Representatives
H-204, U.S. Capitol
Washington, D.C. 20515

The Honorable Mitch McConnell
Majority Leader
United States Senate
S-230, U.S. Capitol
Washington, D.C. 20510

The Honorable Charles Schumer
Minority Leader
United States Senate
S-220, U.S. Capitol
Washington, D.C. 20510

Dear Speaker Pelosi, Minority Leader McCarthy, Majority Leader McConnell, and Minority Leader Schumer:

As our nation grapples with the spread of the novel coronavirus, pharmacies have a critical role in helping patients manage their care, including those patients with chronic and complex conditions who are most vulnerable. America’s pharmacists are among the nation’s most accessible health care professionals, providing medication access and management as individuals shelter in place. Pharmacists and their employees are putting their health on the line to provide for medications and care for patients.

Pharmacies are facing unprecedented demand as they are considered essential providers during this emergency and as patients seek extended supplies of medication. Pharmacies are having to monitor for drug shortages and work with the supply chain to anticipate and proactively address any concerns. Our pharmacies are working round the clock to support patients and protect them from avoidable emergency room visits while our medical system is at maximum capacity. While pharmacists will continue to support their patients access and adherence to medication, we cannot forget that prior to the pandemic, the pharmacy community was already facing extreme financial strain. Many of our districts have seen a wave of pharmacy closures, with more than 2,000 community pharmacies lost over the last two years.¹ We cannot afford more closures as we grapple with a national pandemic and need to protect patient medication access.

Ensuring the viability of our nation’s pharmacies has never been more important. As negotiations on the next aid package move forward, we respectfully request that you remove the barriers that threaten

¹ http://www.nacds.org/pdfs/government/2020/AdvocateLeaveBehinds.pdf
pharmacy financial stability and a pharmacy’s ability to support patients. This can be achieved by enacting much needed pharmacy DIR clawback reform. Pharmacies report that DIR clawback fees continue to be assessed against them right now, even during this period of intense strain. CMS states that DIR fees grew by 45,000 percent between 2010 and 2017\(^2\), and now, during this financial crisis in which pharmacies are already struggling, DIR fees threaten to cause more pharmacies to close their doors.

We must keep pharmacies open during this crisis.

Pharmacy DIR reform has strong bipartisan support in both the House and Senate. We ask for these reforms to be enacted now and hope that Members of Congress will not overlook the critical need to ensure the sustainability of pharmacies during this public health emergency.

We appreciate your consideration and look forward to working with you.

Sincerely,

Earl L. “Buddy” Carter  
Member of Congress

Doug Collins  
Member of Congress

John Rose  
Member of Congress

Cindy Axne  
Member of Congress

David B. McKinley P.E.  
Member of Congress

Peter Welch  
Member of Congress

Vicente Gonzalez  
Member of Congress

Raja Krishnamoorthi  
Member of Congress

Roger Marshall, M.D.  
Member of Congress

Bill Posey  
Member of Congress

<table>
<thead>
<tr>
<th>Name</th>
<th>Affiliation</th>
</tr>
</thead>
<tbody>
<tr>
<td>David P. Roe, M.D.</td>
<td>Member of Congress</td>
</tr>
<tr>
<td>Lisa Blunt Rochester</td>
<td>Member of Congress</td>
</tr>
<tr>
<td>Brian Babin, D.D.S.</td>
<td>Member of Congress</td>
</tr>
<tr>
<td>Cathy McMorris Rodgers</td>
<td>Member of Congress</td>
</tr>
<tr>
<td>Robert B. Aderholt</td>
<td>Member of Congress</td>
</tr>
<tr>
<td>K. Michael Conaway</td>
<td>Member of Congress</td>
</tr>
<tr>
<td>Chris Stewart</td>
<td>Member of Congress</td>
</tr>
<tr>
<td>Bruce Westerman, P.E.</td>
<td>Member of Congress</td>
</tr>
<tr>
<td>C.A. Dutch Ruppersberger</td>
<td>Member of Congress</td>
</tr>
<tr>
<td>Ross Spano</td>
<td>Member of Congress</td>
</tr>
<tr>
<td>Robert J. Wittman</td>
<td>Member of Congress</td>
</tr>
<tr>
<td>Rick Crawford</td>
<td>Member of Congress</td>
</tr>
<tr>
<td>Mike D. Rogers</td>
<td>Member of Congress</td>
</tr>
<tr>
<td>Brian Fitzpatrick</td>
<td>Member of Congress</td>
</tr>
<tr>
<td>Steve King</td>
<td>Member of Congress</td>
</tr>
<tr>
<td>John Joyce, M.D.</td>
<td>Member of Congress</td>
</tr>
<tr>
<td>Thomas R. Suozzi</td>
<td>Member of Congress</td>
</tr>
<tr>
<td>David Kustoff</td>
<td>Member of Congress</td>
</tr>
<tr>
<td>Larry Bucshon, M.D.</td>
<td>Member of Congress</td>
</tr>
<tr>
<td>Filemon Vela</td>
<td>Member of Congress</td>
</tr>
<tr>
<td>Trent Kelly</td>
<td>Member of Congress</td>
</tr>
<tr>
<td>Roger Williams</td>
<td>Member of Congress</td>
</tr>
<tr>
<td>W. Gregory Steube</td>
<td>Member of Congress</td>
</tr>
<tr>
<td>Jaime Herrera Beutler</td>
<td>Member of Congress</td>
</tr>
<tr>
<td>Ben Cline</td>
<td>Member of Congress</td>
</tr>
<tr>
<td>G. K. Butterfield</td>
<td>Member of Congress</td>
</tr>
<tr>
<td>French Hill</td>
<td>Member of Congress</td>
</tr>
<tr>
<td>Michael Guest</td>
<td>Member of Congress</td>
</tr>
<tr>
<td>Sanford D. Bishop, Jr.</td>
<td>Member of Congress</td>
</tr>
<tr>
<td>Andy Harris, M.D.</td>
<td>Member of Congress</td>
</tr>
<tr>
<td>Bennie G. Thompson</td>
<td>Member of Congress</td>
</tr>
<tr>
<td>Abby Finkenauer</td>
<td>Member of Congress</td>
</tr>
</tbody>
</table>
Anthony Brindisi
Member of Congress

Fred Keller
Member of Congress

Rick W. Allen
Member of Congress

Ralph Norman
Member of Congress

H. Morgan Griffith
Member of Congress

Dave Loebsack
Member of Congress

Glenn "GT" Thompson
Member of Congress

Brett Guthrie
Member of Congress

Vicky Hartzler
Member of Congress

Collin C. Peterson
Member of Congress

Jason Smith
Member of Congress

Rodney Davis
Member of Congress

Steve Womack
Member of Congress

Austin Scott
Member of Congress

Lizzie Fletcher
Member of Congress

Ron Estes
Member of Congress

Mo Brooks
Member of Congress

Stephen F. Lynch
Member of Congress

Chuck Fleischmann
Member of Congress

Mike Johnson
Member of Congress

Matthew Cartright
Member of Congress

Henry Cueller
Member of Congress

Neal P. Dunn, M.D.
Member of Congress

Mike Bost
Member of Congress

Steven M. Palazzo
Member of Congress

Bobby L. Rush
Member of Congress

Mike Gallagher
Member of Congress

Lloyd Smucker
Member of Congress

Joyce Beatty
Member of Congress

Tim Burchett
Member of Congress

Brendan F. Boyle
Member of Congress

Bradley Byrne
Member of Congress
Marc Veasey
Member of Congress

Gregory F. Murphy, M.D.
Member of Congress

Daniel W. Lipinski
Member of Congress

Mark E. Green, M.D.
Member of Congress

Kathleen M. Rice
Member of Congress

John H. Rutherford
Member of Congress

Terri A. Sewell
Member of Congress

Steve Cohen
Member of Congress