



2026

INDEPENDENT COMMUNITY PHARMACY LEGISLATIVE PRIORITIES

PHARMACISTS FIGHT BACK ACT (H.R. 6609 AND H.R. 6610) COMBATting ABUSIVE PBM PRACTICES IN FEDERAL HEALTH PROGRAMS

Background:

Pharmacy benefit managers (PBMs) operate as opaque middlemen between plan sponsors and drug manufacturers and between patients and pharmacists. PBMs determine which medications a plan will cover, which pharmacies will be in patients' network, and what patients will pay as out-of-pocket costs. Their position as middlemen allows PBMs to reap massive profits while driving up costs for patients and plan sponsors, including taxpayer funded government health programs; steer patients to the PBM-preferred pharmacy (often one where they have an ownership interest); and reimburse non-affiliated pharmacies below the cost to acquire and dispense medications.

Legislation:

The Pharmacists Fight Back Act (H.R. 6609 and H.R. 6610), introduced by Rep. Jake Auchincloss (D-Mass.), Oversight and Accountability Committee Chairman James Comer (R-Ky.) and Rep. Diana Harshbarger (R-Tenn.), addresses PBM abuses in federally funded health care programs like Medicare Part D, Medicare Advantage, Medicaid managed care, and the Federal Employees Health Benefits Program. The bills include provisions that:

- protect patient choice of pharmacy by banning patient steering;
- require market-based reimbursement based on the National Average Drug Acquisition Cost (NADAC) benchmark plus a state's Medicaid fee-for-service dispensing fee;
- require PBMs to pass through a portion of manufacturer rebates directly to patients at the pharmacy counter; and
- provide robust enforcement provisions to ensure PBM compliance.

H.R. 6609 would apply the provisions above to Medicare Part D, Medicare Advantage, and Medicaid managed care programs, and H.R. 6610 would apply to the Federal Employees Health Benefits Program.



Founded in 1898, the National Community Pharmacists Association is the voice for the community pharmacist, representing over 18,900 pharmacies that employ more than 235,000 individuals nationwide. Community pharmacies are rooted in the communities where they are located and are among America's most accessible health care providers. To learn more, visit www.ncpa.org.