

S 1058

Pharmacy Competition and Consumer Choice Act of 2011

Congress: 112 (2011–2013, Ended)

Chamber: Senate

Policy Area: Health

Introduced: May 24, 2011

Current Status: Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

Latest Action: Read twice and referred to the Committee on Health, Education, Labor, and Pensions. (May 24, 2011)

Official Text: <https://www.congress.gov/bill/112th-congress/senate-bill/1058>

Sponsor

Name: Sen. Pryor, Mark L. [D-AR]

Party: Democratic • **State:** AR • **Chamber:** Senate

Cosponsors (6 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Moran, Jerry [R-KS]	R · KS		May 24, 2011
Sen. Boozman, John [R-AR]	R · AR		Jul 5, 2011
Sen. Johnson, Tim [D-SD]	D · SD		Jul 11, 2011
Sen. Wicker, Roger F. [R-MS]	R · MS		Jul 29, 2011
Sen. Cochran, Thad [R-MS]	R · MS		Feb 7, 2012
Sen. Conrad, Kent [D-ND]	D · ND		May 10, 2012

Committee Activity

Committee	Chamber	Activity	Date
Health, Education, Labor, and Pensions Committee	Senate	Referred To	May 24, 2011

Subjects & Policy Tags

Policy Area:

Health

Related Bills

Bill	Relationship	Last Action
112 HR 1971	Identical bill	Sep 8, 2011: Referred to the Subcommittee on Health, Employment, Labor, and Pensions.

Pharmacy Competition and Consumer Choice Act of 2011 - Amends the Public Health Service Act, the Employee Retirements Income Security Act of 1974 (ERISA), the Internal Revenue Code, and part D (Voluntary Prescription Drug Benefit Program) of title XVIII (Medicare) of the Social Security Act to prohibit a group or individual health plan from entering into a contract with any pharmacy benefits manager (PBM) to manage the prescription drug coverage provided under such plan or to control the costs of such coverage, unless the PBM satisfies the requirements of this Act.

Directs a PBM to provide at least annually a report to each plan sponsor that includes information on the number and total costs of prescriptions under the contract, payments to pharmacies, payments from pharmaceutical manufacturers, and generic drugs and brand name drugs dispensed.

Sets forth provisions governing the interaction between a PBM and pharmacies that contract with the PBM, including requiring a PBM to: (1) include in contracts drug pricing information and agree to provide timely updates on pricing, (2) agree to pay pharmacies promptly for clean claims, (3) not exclude qualifying pharmacies willing to accept terms and conditions of PBM, and (4) require each pharmacy to sign a contract before assuming responsibility to fill prescriptions for a PBM.

Prohibits a PBM from mandating or providing incentives to beneficiaries for use of a pharmacy in which the PBM has an ownership interest.

Sets forth limits on audits of pharmacy providers by PBM, including with respect to record keeping, appeals, and recoupment.

Establishes limits and notice requirements related to PBM's selling claims or utilization data.

Actions Timeline

- **May 24, 2011:** Introduced in Senate
- **May 24, 2011:** Read twice and referred to the Committee on Health, Education, Labor, and Pensions.