

## S 4293

### Pharmacy Benefit Manager Transparency Act of 2022

**Congress:** 117 (2021–2023, Ended)

**Chamber:** Senate

**Policy Area:** Health

**Introduced:** May 24, 2022

**Current Status:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 647.

**Latest Action:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 647. (Dec 14, 2022)

**Official Text:** <https://www.congress.gov/bill/117th-congress/senate-bill/4293>

## Sponsor

**Name:** Sen. Cantwell, Maria [D-WA]

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

## Cosponsors (8 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Grassley, Chuck [R-IA]	R · IA		May 24, 2022
Sen. Boozman, John [R-AR]	R · AR		Jun 8, 2022
Sen. Braun, Mike [R-IN]	R · IN		Jun 14, 2022
Sen. Moran, Jerry [R-KS]	R · KS		Jun 22, 2022
Sen. Tillis, Thomas [R-NC]	R · NC		Jul 25, 2022
Sen. Tester, Jon [D-MT]	D · MT		Jul 27, 2022
Sen. Hyde-Smith, Cindy [R-MS]	R · MS		Aug 4, 2022
Sen. Capito, Shelley Moore [R-WV]	R · WV		Sep 19, 2022

## Committee Activity

Committee	Chamber	Activity	Date
Commerce, Science, and Transportation Committee	Senate	Reported By	Dec 14, 2022

## Subjects & Policy Tags

### Policy Area:

Health

## Related Bills

Bill	Relationship	Last Action
117 HR 1829	Related bill	Mar 12, 2021: Referred to the Subcommittee on Health.
117 S 298	Related bill	Feb 8, 2021: Read twice and referred to the Committee on Health, Education, Labor, and Pensions.

## **Pharmacy Benefit Manager Transparency Act of 2022**

This bill generally prohibits pharmacy benefit managers (PBMs) from engaging in certain practices when managing the prescription drug benefits under a health insurance plan, including charging the plan a different amount than the PBM reimburses the pharmacy.

The bill also prohibits PBMs from arbitrarily, unfairly, or deceptively (1) clawing back reimbursement payments, or (2) increasing fees or lowering reimbursements to pharmacies to offset changes to federally funded health plans.

PBMs are not subject to these prohibitions if they (1) pass along 100% of any price concession or discount to the health plan, and (2) disclose specified costs, prices, reimbursements, fees, markups, discounts, and aggregate payments received with respect to their PBM services.

Further, PBMs must report annually to the Federal Trade Commission (FTC) certain information about payments received from health plans and fees charged to pharmacies.

The FTC and state attorneys general are authorized to enforce the provisions of the bill.

### **Actions Timeline**

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- **Dec 14, 2022:** Committee on Commerce, Science, and Transportation. Reported by Senator Cantwell with an amendment in the nature of a substitute. Without written report.
- **Dec 14, 2022:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 647.
- **Jun 22, 2022:** Committee on Commerce, Science, and Transportation. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **May 24, 2022:** Introduced in Senate
- **May 24, 2022:** Read twice and referred to the Committee on Commerce, Science, and Transportation.