

## S 127

### Pharmacy Benefit Manager Transparency Act of 2023

**Congress:** 118 (2023–2025, Ended)

**Chamber:** Senate

**Policy Area:** Health

**Introduced:** Jan 26, 2023

**Current Status:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 283.

**Latest Action:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 283. (Dec 13, 2023)

**Official Text:** <https://www.congress.gov/bill/118th-congress/senate-bill/127>

### Sponsor

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

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

### Cosponsors (14 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Braun, Mike [R-IN]	R · IN		Jan 26, 2023
Sen. Capito, Shelley Moore [R-WV]	R · WV		Jan 26, 2023
Sen. Grassley, Chuck [R-IA]	R · IA		Jan 26, 2023
Sen. Hyde-Smith, Cindy [R-MS]	R · MS		Jan 26, 2023
Sen. Moran, Jerry [R-KS]	R · KS		Jan 26, 2023
Sen. Tester, Jon [D-MT]	D · MT		Jan 26, 2023
Sen. Tillis, Thomas [R-NC]	R · NC		Jan 26, 2023
Sen. Boozman, John [R-AR]	R · AR		Jan 31, 2023
Sen. Welch, Peter [D-VT]	D · VT		Mar 6, 2023
Sen. Marshall, Roger [R-KS]	R · KS		Mar 30, 2023
Sen. Heinrich, Martin [D-NM]	D · NM		May 2, 2023
Sen. Ernst, Joni [R-IA]	R · IA		May 4, 2023
Sen. Rounds, Mike [R-SD]	R · SD		Jul 19, 2023
Sen. Shaheen, Jeanne [D-NH]	D · NH		Nov 9, 2023

### Committee Activity

Committee	Chamber	Activity	Date
Commerce, Science, and Transportation Committee	Senate	Reported By	Dec 13, 2023

### Subjects & Policy Tags

#### Policy Area:

Health

## Related Bills

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*No related bills are listed.*

## Summary (as of Jan 26, 2023)

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### Pharmacy Benefit Manager Transparency Act of 2023

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 13, 2023:** Committee on Commerce, Science, and Transportation. Reported by Senator Cantwell with an amendment in the nature of a substitute. Without written report.
- **Dec 13, 2023:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 283.
- **Mar 22, 2023:** Committee on Commerce, Science, and Transportation. Ordered to be reported with an amendment in the nature of a substitute favorably.
- **Jan 26, 2023:** Introduced in Senate
- **Jan 26, 2023:** Read twice and referred to the Committee on Commerce, Science, and Transportation.