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AMCP Volunteers, Staff Hit Capitol Hill in March

Annual Legislative Days Focuses on PIE Act, FWA in Medicare Part D



The Academy held its annual Legislative Days event on March 6 and 7. Twenty AMCP volunteer leaders and staff members visited roughly 50 House and Senate offices to advocate on two crucial issues affecting managed care pharmacy. They are:

Passage of the Pharmaceutical Information Exchange (PIE) Act of 2018 (H.R. 2026): The PIE Act would allow biopharmaceutical manufacturers to proactively share truthful and non-misleading clinical and economic information about medications in the pipeline with population health decision makers at least 12-18 months prior to FDA approval, during the forecasting and rate setting process. AMCP has been leading advocacy efforts on H.R. 2026 as it will allow decision makers to expedite coverage decisions as soon as new medications hit the market. The PIE Act recently passed the House Energy &

Commerce Committee's Subcommittee on Health, and is now before the full E&C Committee. A vote is expected soon.

Initiatives to reduce fraud, waste and abuse under the Medicare Part D program: In 2016, the federal government spent \$1 trillion on Medicare Part D, but CMS estimated that \$2.39 billion of that total was for improper prescription payments. Part D Prescription Drug Plan (PDP) sponsors can and should play an important role in fighting fraud in the Medicare Part D Program. AMCP supports reducing the current practice of "pay and chase" by PDP sponsors to recover fraudulent

payments. Greater involvement by PDP sponsors will reduce the incidence of fraud and result in substantial savings for beneficiaries and taxpayers.

“AMCP works continuously on behalf of our members, including on these issues and others,” said AMCP CEO Susan A. Cantrell, RPh, CAE. “We are cementing our reputation in Washington as the 'go-to' organization for population health management and design of medication benefits.”

AMCP has been using all of its social media channels to inform and encourage members to voice their support. Use the hashtag #PIEAct. For more information on our positions on these and other issues, please visit www.amcp.org/AMCPPositions/

(image, from left: AMCP Member Tim Antonelli, President Diana Brixner, and CEO Susan A. Cantrell)

Federal Legislative Update

Congress Set to Recess this Week

Congress is scheduled to recess this Friday and return to Washington on April 9th (Senate) and April 10th (House), respectively. Lawmakers are focused on passing an “omnibus” spending bill before the recess. If a bill is not enacted then another continuing resolution would be necessary to avoid a government shutdown, which would happen if Congress fails to pass the bill by midnight Friday, March 23rd.

There is a vigorous move to attach the CREATES Act (H.R. 2212 and S. 974) to the “omnibus” by its primary sponsors: Sen. Senator Patrick Leahy (D-VT) and Rep. Marino (R-PA). Sen. Leahy is a member of the Senate committee that will determine which amendments are included in the “omnibus” package. He has stated publicly that he is confident the CREATES Act will pass this year. AMCP has been a supporter of the Act along with more than 43 other stakeholders. The bipartisan legislation is designed to increase competition and patient access to safe and affordable generic and biosimilar medicines by preventing certain brand companies from using tactics to delay competition.

Another legislative effort that AMCP has been supporting is H.R. 3545, the Overdose and Prevention Patient Safety Act sponsored by Rep. Markwayne Mullin (R-OK). The bill, which also has bipartisan support, is designed to protect the confidentiality of substance use disorder patient records by including those records under the Health Insurance Portability Accountability (HIPAA) Act. It allows appropriate access to patient information that is essential for providing whole-person coordinated care, and it strengthens protections for the disclosure of a patient's substance use disorder records. In the Senate, S. 1850, the Protecting Jessica Grubb's Legacy (The Legacy Act) also addresses the confidentiality of substance use disorder patient records. The bipartisan bill, sponsored by Sens. Joseph Manchin (D-WV) and Shelley Capito (R-WV), is not as comprehensive as the House legislation.

Advocacy Tip

When advocating for legislation, it's most helpful to have first-hand experience or impactful stories on the effect this legislation will have to improve patient access. While it is important to be a reliable source of information, being able to “tell your story” can help to get your point across to legislators and their staff who may not be as knowledgeable of the benefits of managed care pharmacy.



Meanwhile, the House Energy and Commerce Committee and the Senate Health, Education, Labor and Pensions (HELP) Committee have been holding hearings and considering a package of opioid related bills since the beginning of the year. It is anticipated that a package will move in both chambers but not before the upcoming recess. Stakeholders including AMCP are supporting the sponsors of these bills and working to secure passage.

Regulatory Update

AMCP Anticipates Final Call Letter and Final Part D Rule on April 2nd

AMCP submitted [comments](#) to CMS in response to the [2019 Draft Call Letter](#). AMCP's comments focused on ensuring CMS's efforts to address the opioid epidemic remain flexible to allow plan sponsors to innovate using evidence-based approaches and identify best practices as a single approach to addressing the opioid epidemic has not been identified. AMCP also raised concerns that several of the proposals contained in the Draft Call Letter appear to be inconsistent with the proposals contained in the [Medicare Part C and D proposed rule](#) released in November 2017 and requested clarification from CMS on how the areas of conflict will be resolved.

The 2019 Final Call Letter is expected to be released on April 2, 2018. In addition, it is rumored that the final Medicare Part C and D proposed rule will also be released the same day. AMCP will review both documents and provide a summary to members upon their release.

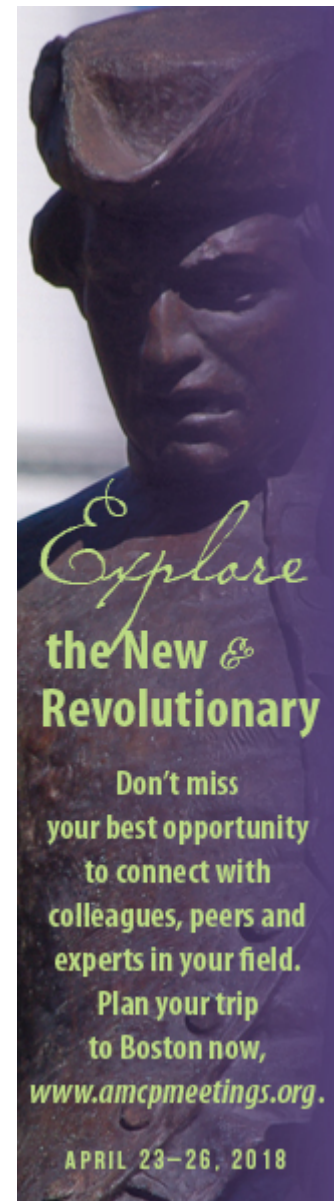
Eye on States

State Legislative and Advocacy Activity

It's been a busy few months on the state legislative front nationwide, with 10 states set to adjourn their regular sessions by the end of March. Among the bills AMCP is tracking:

Biosimilars: This session nine states either introduced or carried over legislation on interchangeability of biosimilars. Michigan, Wisconsin, South Dakota and Wyoming all passed their respective bills thus far and West Virginia's legislation is awaiting the Governor's signature. Several other states still have bills at varying stages of the legislative process. AMCP continues to advocate for allowing pharmacists to dispense interchangeable biosimilar products without additional administrative reporting burdens for pharmacists to comply with and that they recognize the Purple Book as the authority for information on this drug category and not the Orange Book. You can follow biosimilar legislative activity [here](#).

Additional topics: AMCP continues to track state restrictions and mandatory requirements aimed at formularies, prior authorization protocols, and utilization management as well as drug price



transparency legislation. AMCP continues to advocate and educate on the impact of managed care pharmacy tools to combat the rising cost of pharmaceuticals while increasing patient access.

AMCP members engage student chapters: Earlier this month, Jacquelyn Vondrak, PharmD, MBA, the AMCP State Advocacy Coordinator in Illinois made a presentation to the University of Illinois Chicago (UIC) student chapter in which she shared information on the legislative policy and advocacy focus areas for AMCP in 2018. Her presentation to the 20 students included a discussion on H.R 2026 – PIE Act, the rising cost of pharmaceuticals, and the opioid epidemic. In addition, an update on legislation in the current Illinois legislative session which could impact managed care pharmacy were part of her discussion. Students from the UIC chapter also visited the Illinois state legislature several days after the presentation and enjoyed having additional background information on the state process prior to their visit.

AMCP Chapter Leadership Academy Will Focus on Importance of Advocacy

Student pharmacist leaders are active in AMCP's advocacy efforts on the PIE Act and other issues. Advocacy will be a highlight at the 12th Annual Chapter Leadership Academy (CLA) at AMCP's upcoming Annual meeting in Boston. The annual AMCP CLA brings together four officers and advisors from each of the AMCP Student Chapters to equip them with tools and best practices to improve their chapter's experiences. The AMCP Chapter Leadership Academy also features a keynote address and networking opportunities with other chapter leaders. This year, the event will focus on the **What, Why** and **How** advocacy makes a difference in managed care pharmacy. To learn more, [visit here](#)

Academy of Managed Care Pharmacy

675 North Washington Street, Suite 220, Alexandria, VA 22314
703.684.2600 | www.amcp.org

Mary Jo Carden, RPh, JD, Vice President, Government and Pharmacy Affairs, mcarden@amcp.org

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