



Employers' Prescription
for Affordable Drugs

STATEMENT FOR
U.S. HOUSE OF REPRESENTATIVES EDUCATION AND WORKFORCE COMMITTEE

EmployersRx is a nationwide effort led by the Purchaser Business Group on Health (PBGH) that includes The ERISA Industry Committee (ERIC), American Benefits Council, National Alliance of Healthcare Purchaser Coalitions, Silicon Valley Employers Forum, HR Policy Association, and the Small Business Majority. Our members share a common goal – to bring more transparency and accountability to health care, ensuring employers and their employees are empowered by information.

We applaud the Committee for all its work on health policy, and for efforts leading to today's markup of several measures that address policy issues employers have long been concerned about, including anticompetitive practices, lack of transparency, and access to health data.

We commend the Chair and Ranking Member for their work and commitment to bring more transparency and accountability to the overall healthcare system, including much needed relief from dishonest billing practices and greater and more standardized health plan transparency. We especially appreciate the provisions that are designed to address areas where the *Consolidated Appropriations Act of 2021* (CAA), while well intended, has created challenges with complicated attestation requirements, duplicative and overlapping reporting and disclosure requirements, and failed to provide access to necessary data held beyond directly contracted parties. Likewise, we are encouraged by the policies you proposed regarding the ability of plan sponsors to have better access to data through specific auditing and enhanced pharmacy benefit manager (PBM) reporting requirements. We applaud your work to address these issues, to ensure that employers can continue to be good stewards of the healthcare benefits they provide for employees and their families. The employer community strongly urges Members to **support** these policies as legislation moves forward in Congress.

While we support efforts that increase transparency and access to data, one lesson employers know all too well is that in unregulated, broken markets, transparency is simply not enough. Reform of the PBM industry is needed to provide oversight and accountability. More than 40 employer organizations [previously laid out](#) the four pillars of policy change needed, if Congress wants to empower employers to control drug costs for patients. We appreciate the Committee for recognizing the importance of PBM transparency – one of those four pillars – and offer to serve as a resource to work with you moving forward. The bills before the markup today do not

include the other three critical PBM transparency and accountability reforms that are supported by employers, including banning the practice of spread pricing, requiring that rebates be passed through to employer-sponsored plans, and requiring clear oversight and accountability of PBMs and specifying the exact parameters of PBM responsibility.

As the primary customers of PBMs, we look forward to working with you to ensure that all four of these critical policy pillars are addressed as you advance PBM legislation this Congress.

Sincerely,

Purchaser Business Group on Health

The ERISA Industry Committee (ERIC)

American Benefits Council

National Alliance of Healthcare Purchaser Coalitions

Silicon Valley Employers Forum

HR Policy Association

Small Business Majority