



Our 2007 Legislative Agenda

NCPA is focusing most of its government affairs efforts in the 110th Congress on Medicaid, Medicare Part D, and business negotiation rights. If the issues seem familiar, it's because they are. NCPA made great strides in these same areas in the last Congress, but we all have much more to do to get them written into law.

We are encouraged because of the change of leadership in the House and Senate. NCPA is bipartisan, but let's be blunt. Leaders in the last Congress were usually hostile to community pharmacy's concerns.

Our huge TRICARE victory—blocking mandatory mail order and higher copays at community pharmacies—came about through the grassroots efforts of our initiative with the National Association of Chain Drug Stores, the Coalition for Community Pharmacy Action. It was not because those congressional leaders suddenly saw the light.

But some of our past opponents did, at least in part because of our election-year campaign activity. We were working hard to get a “community pharmacy majority” in the 110th Congress, and our efforts were noted. So were the results: more than 90 percent of the candidates we supported won and two of our high profile opponents were not reelected.

That said, the road ahead for the next two years is not pothole free. Presidential politics make enactment of any controversial legislation “iffy” in 2008, so we're focusing hard on this year.

For Medicaid, we were extremely disappointed with the definition of average manufacturer's price (AMP) that the Bush administration issued for generic drug reimbursements. Community pharmacists would be losing an average of \$3 to \$4 for every generic prescription dispensed after July 1.

We are taking a two-track approach: a legislative fix of the definition in Congress to at least cover product acquisition costs and an increase in state-paid dispensing fees. For the latter, we've crafted model dispensing fee legislation and targeted groups of states for the initial effort.

Mark Your Calendar

Don't miss NCPA's 39th Annual Conference on National Legislation and Government Affairs. Washington, D.C., May 14–16, 2007.

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On Medicare Part D, reintroduction of prompt pay legislation is a top priority. At press time, we were still working on revisions to make it attractive to more members. Given the changes in leadership, which blocked it last year, we are optimistic that this finally will come up for a vote.

Our third priority is reintroduction of business negotiations legislation, which would permit groups of independent pharmacies, including chains that do not issue public stock, to negotiate with pharmacy benefit managers. Simply put, this would end the stranglehold PBMs currently exploit with take-it-or-leave-it contracts protected by federal antitrust laws.

Fortunately, our principal bipartisan advocates of this legislation, Reps. Anthony Weiner (D-N.Y.) and Jerry Moran (R-Kan.) were reelected and we look forward to working with them again on their new bill, H.R.971, the Community Pharmacy Fairness Act. It was introduced Feb. 9.

We also look forward to seeing them and you at our 39th Annual Conference on National Legislation and Government Affairs. It starts Monday, May 14. (See "Mark Your Calendar" above.) **ap**