

## Comparison of PBM Policies on Pharmacy Performance Measures as Reported Out by the House and Senate Committees

	PATIENT Act of 2023 (EC Version)	Transparency in Coverage Act of 2023 (EW Version)	Health Care Price Transparency Act of 2023 (WM Version)	PBM Reform Act (HELP Version)	Modernizing and Ensuring PBM Accountability Act (Finance Version) §3	Pharmacy Benefit Manager Transparency Act (Commerce Version)
<b>Application of Performance Measures</b>	No similar provision	No similar provision	No similar provision	No similar provision	Beginning January 1, 2025, and annually thereafter, requires both Part D plan sponsors offering a prescription drug plan and a Medicare Advantage organizations offering an MA-PD plan to use standardized pharmacy performance measures for incentive payments, price concessions, or any fees paid or charged to a pharmacy.  Measures can only be utilized if they are: <ol style="list-style-type: none"><li>1. Either established or adopted by the Secretary and included on a specified list; and</li><li>2. Relevant to the specific business and services provided by the individual pharmacy.</li></ol>	No similar provision.
<b>Required Performance Measures</b>	No similar provision	No similar provision	No similar provision	No similar provision	HHS Secretary must create or adopt standardized pharmacy performance measures that are: <ol style="list-style-type: none"><li>1. Evidence-based and reasonable.</li><li>2. Primarily concentrated on pharmacy performance in relation to patient health outcomes and other aspects that pharmacies can influence, as determined by the Secretary.</li></ol>	No similar provision.
<b>Optional Performance Measures</b>	No similar provision	No similar provision	No similar provision	No similar provision	HHS Secretary may adopt measures endorsed by a multi-stakeholder consensus organization, such as the Pharmacy Quality Alliance, that has participation from various stakeholders, including pharmacies (including retail and specialty pharmacies not owned or affiliated with a plan, pharmacy benefit manager, or other pharmacy), health plans, PBMs, and CMS.	No similar provision.
<b>Maintenance of Measures</b>	No similar provision	No similar provision	No similar provision	No similar provision	HHS Secretary is required to keep and publish a list of measures established or adopted on a publicly accessible internet website.  HHS Secretary must periodically assess and update the measures on the list.	No similar provision.