

28 November 2022

The Honorable Gil Cisneros
Under Secretary of Defense
(Personnel & Readiness)

The Honorable Seileen Mullen
Acting Assistant Secretary of
Defense for Health Affairs

LTG Ronald Place, MC, USA
Director, Defense Health
Agency

The Honorable Jack Reed
Chair, Senate Committee on
Armed Services

The Honorable Jim Inhofe
Ranking Member, Senate
Committee on Armed
Services

The Honorable Adam Smith
Chair, House Armed Services
Committee

The Honorable Mike Rogers
Ranking Member, House Armed
Services Committee

Dear Under Secretary Cisneros, Ms. Mullen, General Place, Chair Reed, Chair Smith, Senator Inhofe, and Representative Rogers:

The organizations listed below, all members of the National Military & Veterans Alliance, express their deep-seated concern regarding the recent announcement that nearly 15,000 local and independent pharmacies have chosen to no longer participate in the TRICARE pharmacy program.

We collectively call on the Department of Defense to immediately reverse the changes to the TRICARE program which led to the mass exodus of these pharmacies; and if the Department of Defense is unable or unwilling to do so, we call on Congress to adopt a legislative solution in the FY 2023 National Defense Authorization Act.

Under current practices, Express Scripts acts as a pharmacy benefit manager for the TRICARE program while serving as a mail-order and specialty pharmacy itself. Without question, this poses a conflict of interest that must be reconciled to ensure TRICARE is compliant with federal procurement law and provides for additional competition in the marketplace to drive down costs and expand options for beneficiaries.

For service members past and present and their family members, the sudden and wrongful network reduction goes far beyond simply reducing access to care for TRICARE beneficiaries. For those beneficiaries who need specialty medicines, the cut-rate standard shipping processes used by Express Scripts threaten the medicinal integrity of the shipped medicines and place beneficiaries at risk of receiving crucial medications late, damaged, or at reduced or eliminated effectiveness. Of greater significance, it eliminates the crucial role local pharmacists play in protecting beneficiaries' health, especially those requiring multiple medications where contraindications are always a concern.

Overall, these pharmacy network changes will put service members and their families at risk in receiving the prescription drugs and treatment they need. NMVA's longstanding conviction has been – and will always be – to oppose any decisions made solely to ensure cost savings over the quality-of-care beneficiaries are receiving. In our estimation, such an approach to taking care of service members and their families will harm beneficiaries in the short term and readiness down range.

However, there is still time to reverse the course. Although Express Scripts has offered these pharmacies the chance to rejoin the TRICARE network the unchanged contractual terms remain unaffordable – hence why seemingly no local and independent pharmacies have chosen to opt back into the program

Until these changes can be thoroughly evaluated, with full input from the stakeholders for these beneficiaries, it is imperative the Department of Defense immediately reverse Express Scripts' unwarranted reduction in pharmacy coverage, transparently reevaluate the process by which the Defense Health Agency approved such a change, and evaluate whether Express Scripts has properly fulfilled its contractual obligations in administering TRICARE.

Furthermore, the Department must reevaluate whether providing any pharmacy or pharmacy benefit manager with the sole-source contract for the TRICARE pharmacy program is the best way to ensure conflicts of interest do not come at the expense of the beneficiary population the contractor is required to care for through its pharmacy services.

And if the necessary corrective action(s) is not taken by the Department of Defense by December 2, 2022, then NMVA requests Congress to step-in and make the necessary changes required within the FY 2023 National Defense Authorization Act, and then no later than the conclusion of the 117th Congress.

We stand ready to engage with the Department of Defense, Defense Health Agency, Congress, and Express Scripts to resolve these significant issues immediately.

Very Respectfully,



Kenneth Greenberg
National Executive Director
Jewish War Veterans of the USA
Co-Chair, NMVA



CAPT Bob Carey, USN (Ret)
Chief Bottle Washer
National Defense Committee
Co-Chair, NMVA

Signatory National Military & Veterans Alliance Members:

Jewish War Veterans of the USA
Heroes Athletic Association
Armed Forces Retirees Association
Naval Enlisted Reserve Association
Japanese American Veterans Association
American GI Forum
Korean War Veterans Association
American Defenders of Bataan & Corregidor
Memorial Society

National Defense Committee
The Catholic War Veterans and Auxiliary of the
United States of America
American Retirees Association
Veteran Warriors, Inc.
Wounded Paw Partnership
AMVETS
Reserve Organization of America (ROA)
Burn Pits 360