

Congress of the United States
House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM
2157 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5074
MINORITY (202) 225-5051
<https://oversight.house.gov>

August 28, 2025

Dr. Patrick Conway, M.D.
Chief Executive Officer
Optum Rx
2300 Main Street
Irvine, CA 92614

Dear Dr. Conway:

The Committee on Oversight and Government Reform (Committee) is continuing to investigate the role of Pharmacy Benefit Managers (PBMs) in pharmaceutical markets. Specifically, the Committee is investigating whether UnitedHealth Group's Optum Rx, uses its foreign headquartered group purchasing organization (GPO)—Emisar Pharma Services, LLC (Emisar Pharma) headquartered in Ireland—to evade transparency and oversight in the United States.¹ The Committee requests documents and communications regarding the creation and role of Emisar Pharma.

In July 2024, Committee Republicans released a report entitled, "The Role of Pharmacy Benefit Managers in Prescription Drug Markets," detailing how PBMs have used their position as middlemen to enact anticompetitive policies and protect their bottom line.² The report also highlighted how GPOs create another layer of pricing opacity and complexity.³ This is especially true for GPOs headquartered overseas as these entities may be used to retain additional revenue and fees and to sidestep U.S. legislative and regulatory reforms.⁴ Emisar Pharma, which United Health Group's Optum Rx created in 2021 and headquartered in Ireland appears to be yet another example of the institutional intent at opacity and avoidance of oversight within your company.⁵

In April, President Trump signed an executive order that "required PBMs to disclose the fees they pay to brokers for enrolling employers in PBMs"⁶ and the Federal Trade Commission

¹ Press Releases, U.S. Fed. Trade Comm., FTC Sues Prescription Drug Middlemen for Artificially Inflating Insulin Drug Prices (Sept. 30, 2024).

² H. Comm. on Oversight & Gov't Reform, *Staff Report, The Role of Pharmacy Benefit Managers in Prescription Drug Markets*, 118th Congress, at 33, 34 (July 23, 2024) [hereinafter "House PBM Report"].

³ *Id.*

⁴ Interim Staff Report, U.S. Fed. Trade Comm., Off. of Pol'y Plan., Pharmacy Benefit Managers: The Powerful Middleman Inflating Drug Costs and Squeezing Main Street Pharmacies, 22 (July 2024).

⁵ House PBM Report, *supra* note 3, at 34; Adam J. Fein, *Five (or Maybe Six?) Reasons that the Largest PBMS Operate Group Purchasing Organizations*, DRUG CHANNELS (May 24, 2023).

⁶ Rylee Wilson, *The Trump administration's approach to PBMs, so far: 5 things to know*, BECKERS HOSP. REV. (June 23, 2025).

has also resumed its lawsuit against PBMs and their affiliated GPOs.⁷ The Committee is concerned that your company's opaque business practices and relationships, including the creation of new corporate structures abroad, combined with unchecked integration, is hurting patients and costing taxpayers.

To assist the Committee in further understanding the role of PBMs and their foreign headquartered GPOs in pharmaceutical markets, please provide the following documents and information, covering the time period January 1, 2021 to the present unless otherwise indicated, no later than September 11, 2025:

1. All corporate formation and organizational documents for Emisar Pharma;
2. All communications between and among Optum Rx and its affiliated entities and owners regarding the decision to form a GPO;
3. The names of all members of Emisar Pharma's board of directors, including their tenure on the board and their board committee assignments;
 - a. The names of all Emisar Pharma's board members who currently serve, or have previously served, on the boards of directors of any affiliated owner company;
 - b. The names of all Emisar Pharma's board members who serve, or have previously served, on the boards of directors of any participating PBMs.
4. Any past or present Emisar Pharma internal policies and procedures related to compliance with all applicable U.S. federal and state PBM laws and/or reporting requirements;
5. All contracts between and among Emisar Pharma and any PBM;
6. All documents and communications related to Emisar Pharma's negotiations with drug manufacturers or drug wholesalers utilizing the terms, or iterations of these terms, "rebate" or "fees";
7. All documents and communications provided by Emisar Pharma to payers utilizing the terms, or iterations of these terms, "rebate" or "fees";
8. A list of data fields Emisar Pharma shares with Optum Rx; and
9. Internal policies and procedures related to rebate or fee contracts with drug manufacturers and drug wholesalers.

⁷ *Id.*

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The Committee on Oversight and Government Reform is the principal oversight committee of the U.S. House of Representatives and has broad authority to investigate “any matter” at “any time” under House Rule X. To arrange for the delivery of documents or ask any related follow up questions, please contact the Committee on Oversight and Government Reform Majority staff at (202) 225-5074. Thank you for your attention to this important matter.

Sincerely,

A handwritten signature in black ink that reads "James Comer". The signature is fluid and cursive, with the first name "James" and last name "Comer" clearly distinguishable.

James Comer

Chairman

Committee on Oversight and Government Reform

cc: The Honorable Robert Garcia, Ranking Member
Committee on Oversight and Government Reform