JAMES COMER, KENTUCKY
CHAIRMAN

ONE HUNDRED NINETEENTH CONGRESS

ROBERT GARCIA, CALIFORNIA
RANKING MEMBER

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

October 23, 2026

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 is continuing to investigate the role of Pharmacy Benefit Managers (PBMs) in pharmaceutical markets. The Committee is concerned that independent pharmacies have potentially been targeted for punitive audits in retaliation for their public support of legislation recently passed by the Committee.[1] The Committee has engaged in a multi-year effort to reform the role of PBMs and make prescription drug prices more affordable for Americans.[2] Independent pharmacies from across the country have provided testimony and information in support of these efforts.[3] In the short span of time since the Committee's July markup of H.R. 6610, the Pharmacists Fight Back in FEHB Plans Act, multiple independent pharmacies that supported the Committee's efforts have received notice of not only their first-ever audit but two subsequent audits in short succession from Optum Rx (Optum). This raises concern that these audit notices were sent or timed to retaliate for their support of H.R. 6610. The Committee therefore requests documents and communications related to Optum's pharmacy audits, as well as a staff-level briefing.

Since 2021, the Committee has investigated PBMs and has worked to reform the PBM payment system for federal healthcare plans with more transparency based on the actual cost of medication and to protect the patient's freedom to choose where they fill prescriptions, including independent pharmacies.[4] Independent pharmacies have personal relationships with many of their customers and play an important role in many communities. Many such pharmacies have

---

[1] Pharmacists Fight Back [in Federal Employee Health Benefit Plans Act], H.R. 6610 (Dec. 11, 2025); and Press Release, H. Comm. on Oversight and Gov't Ref., Markup Wrap Up: Oversight Committee Advances Legislation to Lower Prescription Drug Prices, Stop D.C. Tax Hikes, and Improve Government Operations (Jul. 22, 2026).
[2] *See* H. Comm. on Oversight and Accountability Staff, H. COMM ON OVERSIGHT ACCOUNTABILITY, THE ROLE OF PHARMACY BENEFIT MANAGERS IN PRESCRIPTION DRUG MARKETS (Jul. 9, 2024).
[3] *See generally Id*.
[4] Chairman James Comer, *Congress is finally taking on the middlemen driving up your drug costs*, WASHINGTON EXAMINER (Jul. 22, 2026).

assisted this committee over the years, most recently with their vocal support of the Committee's passage of the Pharmacists Fight Back Act in July.[5]

Concern about PBMs using routine audits as a punitive or retaliatory measure is not unprecedented. The Committee notes public reporting from earlier this year that a PBM settled a state lawsuit for excessive audits of an independent pharmacy.[6] The Florida Attorney General's Office has also responded to concerns of efforts by another PBM to impose undue burdens through the audit process.[7]

To assist the Committee in its oversight of this matter, we request the following information, covering the time period July 22, 2026, to the present unless otherwise indicated, as soon as possible but no later than November 6, 2026:

1. All Provider Manuals;

2. All pro forma Provider Agreements;

3. List of all audit types performed by or on behalf of Optum Rx, including but not limited to desk audits, in-person audits, unannounced audits, and compliance audits, performed in relation to its pharmacy benefit management business;

4. For each audit type identified in request 3, provide all documents pertaining to the following:
    a. Auditee selection methodology;
    b. Audit handbooks and/or guides; and
    c. Any training material provided to auditors;

5. Total number of audits conducted by or on behalf of Optum Rx of independent pharmacies in each U.S. state and territory, as well as breakdown showing the audits conducted of Optum Rx affiliated organizations and non-affiliated organizations;

6. A list of all audits of independent pharmacies in Kentucky, Mississippi, and Florida. This list should include the following information:
    a. The name of the audited independent pharmacy;
    b. The date of the audit;
    c. The reason for the audit;

---

[5] Press Release, H. Comm. on Oversight and Gov't Ref., Markup Wrap Up: Oversight Committee Advances Legislation to Lower Prescription Drug Prices, Stop D.C. Tax Hikes, and Improve Government Operations (Jul. 22, 2026).
This bill is supported by over 60 state and national pharmacy groups including the Kentucky Independent Pharmacist Alliance, Kentucky Pharmacists Association, the American Pharmacy Cooperative, Community Oncology Alliance, and Transparency Rising

[6] Alexander Castro, *Auditors showed up unannounced at 3 independent pharmacies. This RI law was ready for them,* RHODE ISLAND CURRANT (Feb. 16, 2026).

[7] Press Release, Office of Att'y Gen. James Uthmeier, Attorney General James Uthmeier Issues Subpoena to CVS Health Corporation and Caremark for Alleged Anticompetitive Practices Harming Florida Families (Jun. 23, 2026).

d. The type of audit;
e. The scope of the audit;
f. The deadline for completion of the audit; and
g. The result of the audit, including adverse findings and any monies received by Optum Rx, including but not limited to penalties and claw back payments.

7. All documents and communications referring or relating to the keywords in Appendix A.

Additionally, the Committee requests that Optum Rx provide a staff-level briefing as soon as possible, but no later than October 30, 2026. The briefers should be prepared to discuss topics including, but not limited to, the following:

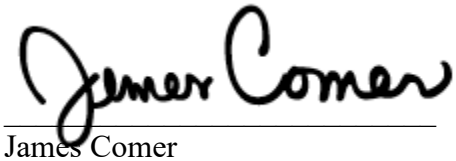
1. The scope and nature of the audits conducted by Optum Rx;

2. How Optum Rx selects an independent pharmacy to audit; and

3. Any audits of the entities that supported H.R. 6610, the Pharmacists Fight Back in FEHB Plans Act.

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 schedule the briefing and arrange for delivery of documents or to 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,



James Comer
Chairman
Committee on Oversight and Government Reform

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

Appendix A

- Oversight Committee
- House Oversight
- House Committee on Oversight
- HOGR
- Comer
- Congressional report
- Congressional hearing
- Congressional testimony
- Letter to Congress
- Congressional inquiry
- Congress
- Congress oversight
- Escalate audit
- Revise audit plan
- Update audit plan
- New audit plan
- Focus audit plan
- Target audit plan
- KIPA
- Kentucky Independent Pharmacist Alliance
- Kentucky Pharmacy
- Kentucky Pharmacists Association
- MIPA
- Mississippi Independent Pharmacies Association
- American Pharmacy Cooperative
- Florida Pharmacy Association
- National Community Pharmacists Association
- National Alliance of State Pharmacy Associations
- Pharmacists United for Truth & Transparency
- American Pharmacies
- American Pharmacy Cooperative Inc
- Compliant Pharmacy Alliance Cooperative
- EPIC Rx
- Independent Pharmacy Cooperative
- Independent Pharmacy Alliance
- Sav-Mor Pharmacy Services
- American Economic Liberties Project
- Global Healthy Living Foundation
- Pioneer Institute

- Local First Arizona
- Minnesota Farmers Union
- Advocates for Responsible Care
- Rx in Reach Georgia Coalition
- Unite for Safe Medications
- Arizona Desert Life Pharmacy Patients Organization
- Alabama Independent Pharmacy Alliance
- Alabama Pharmacy Association
- Arizona Independent Pharmacy Coalition
- Arizona Pharmacy Association
- Arkansas Pharmacists Association
- California Pharmacists Association
- Colorado Pharmacists Society
- Connecticut Pharmacists Association
- Delaware Pharmacy Society
- Florida Small Business Pharmacies Aligned for Reform
- Georgia Academy of Independent Pharmacy
- Georgia Pharmacy Association
- Illinois Pharmacists Association
- Indiana Pharmacy Association
- Kansas Pharmacists Association
- Kentucky Independent Pharmacists Alliance
- Kentucky Pharmacists Association
- Louisiana Independent Pharmacies Association
- Maryland Pharmacists Association
- Massachusetts Pharmacists Association
- Michigan Independent Pharmacy Association
- Michigan Pharmacists Association
- Minnesota Independent Pharmacy Association
- Mississippi Independent Pharmacy Association
- Mississippi Pharmacists Association
- Missouri Pharmacy Association
- Missouri Pharmacy Business Council
- Montana Pharmacy Association
- Nebraska Pharmacists Association
- Nevada Pharmacy Alliance
- New Mexico Pharmacy Association
- North Carolina Association of Pharmacists
- Ohio Pharmacists Association
- Pharmacists Society of the State of New York
- SIP for PBM Reform
- South Carolina Pharmacy Association

- Tennessee Pharmacists Association
- Texas Pharmacy Association
- Virginia Pharmacy Association
- Washington DC Pharmacy Association
- Washington State Pharmacy Association
- West Virginia Independent Pharmacy Association