



April 14, 2026

The Honorable Joe Courtney
U.S. House of Representatives
Washington, D.C. 20515

Dear Representative Courtney:

Thank you for your March 26, 2026, letter requesting the Employee Benefits Security Administration (EBSA) issue guidance instructing group health plans and their service providers, such as pharmacy benefit managers and third-party administrators, regarding their obligation to disclose indirect and direct compensation. We appreciate your effort to draw attention to the importance of transparency in service arrangements involving group health plans subject to the Employee Retirement Income Security Act (ERISA).

As you are aware, EBSA issued a proposed regulation *Improving Transparency Into Pharmacy Benefit Manager Fee Disclosure* on January 30, 2026, at 91 Fed. Reg. 4348, that would require providers of pharmacy benefit management services and affiliated providers of brokerage and consulting services to disclose information about their compensation to fiduciaries of ERISA covered self-insured group health plans. The regulation would enable fiduciaries to assess the reasonableness of the contracts or arrangements with these service providers, including the reasonableness of the service providers' compensation. On March 2, 2026, EBSA issued a subsequent Federal Register notice at 91 Fed. Reg. 10033, alerting the public to the Consolidated Appropriations Act, 2026 amendments to ERISA section 408(b)(2) and extending the comment period on the proposed regulation for an additional 15 days to allow interested persons to address whether the regulation should be adjusted due to these new statutory provisions.

To date, EBSA has received approximately 60 comments from stakeholders regarding the proposed regulation. We are actively reviewing comments and look forward to expeditiously completing this rulemaking project. At that time, we will be in a better position to evaluate whether further guidance is necessary.

Should you or your staff have any additional questions, please contact the Office of Congressional and Intergovernmental Affairs at (202) 693-4600.

Sincerely,


Daniel Aronowitz
Assistant Secretary
Employee Benefits Security Administration