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Testimony of Denise Tepler presenting

LD 1450, An Act To Provide Fairness in Communications from Pharmacy Benefits Managers

Before the Joint Standing Committee on Health and Human Services

Senator Sanborn and fabulous colleagues of the Health Coverage, Insurance and Financial Services Committee, I am Denise Tepler, representing all of the Town of Topsham, House District 54. Today I am presenting **LD 1450, An Act To Provide Fairness in Communications from Pharmacy Benefits Managers**.

Independent Pharmacists are facing a difficult situation with a variety of anti-competitive efforts from the large chain pharmacies, especially those that are vertically integrated with Pharmacy Benefits Managers, and insurance companies. Communications to consumers from the Pharmacy Benefit Managers imply that their local pharmacy may not be in network, when it is. Or letters give the impression that if they switch to the integrated pharmacy, their medications will be less expensive.

I recently encountered one of these letters myself. Express Scripts, our State Health Plan's PBM sent me a letter regarding one of my medications, indicating I should switch to their mail-order pharmacy. Concerned that they might no longer cover the medicine at my regular pharmacy, I called them. No, the issue was that I could get a 90-day supply from them. "But I am getting 90 days now for a \$45 co-pay. Will that change?" Apparently, no, but the medication would be mailed to my door. However, if I made the switch, in June when the state changes contracts, I might have to get a new prescription, as they would no longer be the State Plan's PBM.

This kind of anti-competitive communication with consumers is an increasing problem for our Main Street pharmacies. This committee can help find a solution.

Thank you for all your hard work on these tough issues. I will attempt to answer any questions you have but there are those testifying after me who are better equipped to provide clarity on the issue.