



OHIO PODIATRIC MEDICAL ASSOCIATION, DBA
OHIO FOOT AND ANKLE MEDICAL ASSOCIATION
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April 8, 2019

The Honorable Derek Merrin
Chairman, Health Committee
The Ohio House of Representatives
77 South High Street
Columbus, Ohio 43266-0603

Dear Chairman Merrin:

On behalf of Ohio's podiatric physicians and surgeons that make up the Ohio Foot and Ankle Medical Association (OHFAMA), I am writing to convey our association's support for House 63: The Prescription Drug Co-Pay Integrity Act.

At issue is the established problematic practice of clawbacks, which is used to over-inflate the cost of prescriptions at the point-of-sale. Ohioans are solely at the mercy of Pharmacy Benefit Managers (PBM) and are being charged more than the pharmacy's cash price or their net reimbursement. This practice is problematic and detrimental to the continuity of care for our patients by often making their prescription drugs unaffordable. In addition, this "overcharging" by the PBM does not benefit patients, as it appears none of the alleged "savings" the PBM claims it achieves is passed back to the patient. Our members believe any benefit PBM's may gain in the negotiation process should be passed along directly to consumers.

Furthermore, PBMs use "gag clauses". This contractual deception prevents pharmacies from discussing prescription costs with customers, even if it was less expensive or if the customer could save money by not paying through their insurance plan.

The Prescription Drug Co-Pay Integrity Act (HB63), sponsored by Representatives Scott Lipps and Thomas West will improve Ohioans access to prescription medication. It ensures that patients are getting the best transaction cost possible; no shell-games or prescription cost padding to a PBM middleman.

- ❶ HB 63 prohibits a health plan or PBM from directing a pharmacy to charge a patient an amount greater than the pharmacy's cash price or the net reimbursement.
- ❷ Regardless of any co-pay tricks imposed by the PBM, the patient will pay the lowest possible amount.
- ❸ Prohibits a health plan or PBM to force a pharmacist to remain silent on financial details and options for medications

OHFAMA strongly supports HB 63 and encourages the passage of this bill by your committee. As always, we appreciate your willingness to consider the views of our members concerning the provision of quality care to our patients. Please feel free to contact me or Dan Leite and Courtney Saunders of Capitol Advocates if you have any questions concerning this important issue.

Respectfully,

Jimelle Rumberg, Ph.D., CAE
Executive Director

cc Rep. Lipps, Rep. West, Committee Ranking Member Rep. Boyd