



April 29, 2019

The Honorable Derek Merrin, Chair
House Health Committee
Ohio House of Representatives
1 Capitol Square
Columbus OH 43215

RE: HB 63 Pharmacist-Patient Communications

Dear Chairman Merrin:

Chairman Merrin, Vice-Chair Manning, Ranking Member Boyd, and Members of the House Health Committee, on behalf of the Pharmaceutical Care Management Association (PCMA), I am writing to indicate PCMA's support of the prohibition on gag clauses and "clawbacks" contained in HB 63. PCMA is the national association representing pharmacy benefit managers (PBMs). PBMs administer prescription drug plans for more than 266 million Americans with health coverage provided through large and small employers, health plans, labor unions, state and federal employee-benefit plans, and government programs.

PCMA and its member companies believe that a patient should always pay the lowest price available at the pharmacy counter for their prescribed drug and believe pharmacists and patients should be allowed and encouraged to discuss pharmaceutical options and costs. In all Medicare Part D plans, patients pay the lesser of their plan's cost-sharing amount or the cash price of the drug at the pharmacy counter, and as an industry, PCMA member companies support this policy in the commercial market. PCMA supported both federal bills that ban these practices ("Know the Lowest Price Act of 2018"—S. 2553 and the "Patients' Right to Know Drug Prices Act"—S. 2554), enacted in October 2018. PCMA has also supported state legislation across the country that outlaws gag clauses and "clawback" contract provisions that would cause a patient to pay more than necessary for his or her drug.

Although we do want to ensure that HB 63 does not prohibit the use of value-based contracts and look forward to working with the bill's authors to ensure that it does not, PCMA supports the policy contained in HB 63 that ensures that pharmacists would have no hesitation to know that they could communicate with their patients about the cost of their prescription, with or without insurance.

Thank you for your consideration of our comments. I am happy to answer any questions from the committee.

Sincerely,

A handwritten signature in black ink that reads "April C. Alexander".

April C. Alexander
Assistant Vice President, State Affairs