

October 6, 2025

The Honorable Sharon Ray
Chair, House General Government Committee
77 South High Street, 11th floor
Columbus, Ohio 43215

Via Email: OHRGeneralGovernmentCommittee@ohiohouse.gov

Dear Chair Ray and Members of the Committee:

The National Community Pharmacists Association is writing to support HB 229, which provides a critical regulatory framework for overseeing Pharmacy Benefit Management (PBM) companies. Necessary but not sufficient, the bill can help control drug costs in Ohio when applied in conjunction with the other PBM reform measures contemplated earlier this year by the legislature and Governor. In tandem, PBM reform and rigorous PBM oversight can provide greater protection for patients regarding their prescription drug benefit programs and establish greater oversight of the PBMs that administer those benefits.

NCPA represents the interest of America's community pharmacists, including the owners of more than 21,000 independent community pharmacies across the United States and about 383 independent community pharmacies in Ohio. These pharmacies employed more than 4,100 Ohio residents and they filled almost 23 million prescriptions in 2023.

Community pharmacists have long known that opaque PBM practices not only hamper patients' ability to obtain pharmacy services from their trusted community pharmacists, but those practices can also lead to higher drug costs for both patients and plan sponsors. Due to the massive consolidation and vertical integration in the health insurance market¹, the three largest PBM's control 80% of the prescription drug market² giving them the power to engage in abusive practices which limit patient access, increase drug costs and threaten the viability of small business pharmacies.

NCPA supports state policy that provides broad oversight authority to the Office of the Insurance Commissioner, including through licensure. We also advocate they be granted strong authority to enforce laws. Almost every state has enacted measures to reform PBMs, yet many laws have not achieved their desired effect. NCPA offers its Best Practices for Enforcement of PBM Regulation as a resource to stakeholders in Ohio.³

¹ https://ncpa.org/sites/default/files/2025-05/VerticalBusiness_2024_041525.pdf

² [Drug Channels: The Top Pharmacy Benefit Managers of 2021: The Big Get Even Bigger](#)

³ <https://ncpa.org/sites/default/files/2024-07/ncpa-best-practices-pbm-enforcement.pdf>

We appreciate the language creating fiduciary responsibility for PBMs to their plan sponsors. This will address one of many ways in which PBMs are opaque and unaccountable. Similarly, we urge legislators to reconsider policies from earlier this year that would require transparent cost-based reimbursement for community pharmacies. This too serves to hold PBMs accountable.

One concern about the bill relates to Section 3957.16. This provision would remove many plans, PBMs, pharmacies, and patients from the benefit of this critical regulatory framework. Per the clear outcome of *Rutledge vs. PCMA* and its follow-on *Wehbi* case, it is clearly within the state's prerogative to oversee and enforce regulation of all PBMs serving all plans. We urge the committee to strike this section.

We wish to thank Representative Kellie Deeter for her sponsorship of the bill. Thank you for receiving our perspective. If you have any questions, please do not hesitate to contact me at (703) 600-1186 or joel.kurzman@ncpa.org.

Sincerely,

A handwritten signature in black ink that reads "Joel Kurzman". The signature is written in a cursive, flowing style.

Joel Kurzman
Director, State Government Affairs