

**HB1006, HB1007, HB1008, HB1009, HB1014, HB1015, HB1274**

House Health and Government Operations Committee

March 10, 2022

Position: SUPPORT

**These bills will address the following issues pertaining to PBMs:**

- Expanding certain existing laws for PBMs to apply to plans otherwise subject to ERISA
- Any willing pharmacy provisions
- Anti-patient steering via copay parity
- Anti-mandatory mail provisions
- Broadening existing statute around supporting beneficiaries' choice in pharmacy
- Network adequacy
- Reasonable credentialing
- Transparency with any fees charged by the PBM at the time of claims adjudication
- Ability to refuse to dispense if the reimbursement does not cover pharmacy cost
- Establishes reimbursement floor, including for MCO Medicaid, of NADAC (of the generic) + FFS professional dispensing fee
- Parity in reimbursement across pharmacy provider types
- Enhancing enforcement actions through cause of action languages for pharmacies
- Prohibiting PBMs from engaging in discriminatory reimbursement practices where a pharmacy provider participates in the 340B program
- Anti-claw back provisions
- Expanding beneficiary options in specialty pharmacy providers
- Broadening existing payment parity statutory provisions addressing amount PBM reimburses pharmacist / pharmacy vs. amount PBM reimburses itself / an affiliate pharmacy

**Position:** The Maryland Chain Drug Store Association in in full support of efforts to help protect our retail community pharmacies by ensuring PBM transparency and improving patient access to a consumer's chosen pharmacy.

The many issues listed above existed far prior to COVID, and are critical to stabilizing pharmacy reimbursement as we continue to provide patient access to prescription drugs, COVID testing, vaccine and treatment needs.

We fully support this legislation and urge a favorable vote. Thank you for your time and consideration.