



June 30, 2020

Mandy Weeks-Green
Rules Coordinator
Washington State Office of the Insurance Commissioner
PO Box 40260
Olympia, WA 98504-2060

Re: Health Care Benefit Managers (R 2020-04) rulemaking

Submitted electronically to rulescoordinator@oic.wa.gov

Dear Rule Coordinator Weeks-Green:

On behalf of the Pharmaceutical Care Management Association (PCMA), we appreciate the opportunity to provide preliminary comments on Washington State's Office of the Insurance Commissioner (OIC) notice to initiate rulemaking (R 2020-04) for Health Care Benefit Managers pursuant to Senate Bill 5601 passed during the 2020 legislative session.

PCMA is the national trade association representing America's Pharmacy Benefit Managers (PBMs), which administer prescription drug plans for more than 266 million Americans with health coverage provided through Fortune 500 employers, health insurance plans, labor unions, and Medicare Part D. PBMs are engaged by clients including health insurers, government agencies, unions, school districts, and large and small employers, to manage pharmacy benefits pursuant to health insurance benefits and contracts. PBMs are projected to save payers over \$30 billion through the next decade thanks to tools such as negotiating price discounts with drug manufacturers, establishing pharmacy networks and disease management and adherence programs.

While we recognize there are not yet draft rules to provide specific comments on, we would ask consideration to be given to the following as you consider draft rules:

- Any contracts submitted to the OIC should remain confidential and not subject to public disclosure or public information requests;
- Concurrent notification of an inquiry or complaint should be provided to the health care benefit manager as well as the carrier to which the inquiry or complaint pertains to; and
- Continuity of care for Washingtonians receiving health care for services managed by health care benefit managers should be the overarching consideration in crafting proposed rules.

Finally, LuGina Mendez-Harper, PharmD, RPh, with Prime Therapeutics is a pharmacist who represented the PBM industry throughout stakeholder meetings held during legislative session and can provide unique insights into those discussions. Please feel free to reach out to her



directly so that she might provide whatever assistance you deem necessary and appropriate. Her email is LMendezharper@primetherapeutics.com and her phone number is (505) 206-1089.

Again, thank you and we look forward to working with the OIC in this important rulemaking process.

Sincerely,

A handwritten signature in black ink, appearing to read "Bill Head", is written over the typed name.

Bill Head
Assistant Vice President