

From: [Waltraut Lehmann](#)
To: [Stoner, Bianca \(OIC\)](#)
Cc: [OIC Rules Coordinator](#)
Subject: Premera2
Date: Monday, December 05, 2016 2:25:15 PM

Hello Bianca,

While Premera will not be attending the rule hearing on this subject tomorrow, Tuesday, December 6, 2016, we anticipate participation by our pharmacy benefits manager, ESI. And, the purpose of this e-mail is to provide you with brief comments on behalf of Premera Blue Cross, LifeWise Health Plan of Washington, and LifeWise Assurance Company (“Premera” or “the Companies”).

The comments we have on the proposed rule align with those previously furnished to you at the end of August for the stakeholder draft.

- We continue to be concerned that the provisions for broad access to PBM records – see sections WAC 284-180-310 and -420 – do not address confidentiality. We restate our recommendation that the rules be clarified on the point of defining the circumstances and records that may need to be provided, and more specifically, that the rules ensure protection for proprietary and competitive business records and data including but not limited to pricing information.
- We also believe it is imperative that the processes of appeals and adjustments to reimbursement – WAC 284-180-30, -400, -and -420 – take into account the manner in which pharmacy costs are calculated, specifically also the discounts and rebates that pharmacies receive. We urge the OIC to take into account the potential unintended consequences of such reimbursement adjustments in an environment of escalating drug prices, and the premium rate outcomes faced by consumers.

Thank you for considering our comments. If you have questions, please feel free to contact me. Thanks you, and best regards,

Waltraut

*Waltraut B. Lehmann
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