

Testimony for House Bill 2598
House Insurance Committee
By Kenny Ard,
– Paola, Kansas
February 17th, 2020

Chairman Vickery and Members of the Committee:

I am Kenny Ard. I am writing this to you today to ask for your support for HB 2598.

Getting a prescription medication filled has always been a fairly simple process in my experience until taking a new position with a Company that uses the PBM CVS/Caremark for their prescription benefits. What once used to be what I considered to be accessible and affordable healthcare is not at all what I'm experiencing with this PBM.

I am being forced to purchase medications from a CVS pharmacy which is not 1 of the 4 pharmacies located in the city I reside in. I had no prior knowledge of these processes until CVS/Caremark denied payment when I went to pick up the 3rd fill of a prescription from my local pharmacy. The reason for denial per CVS/Caremark is that the policy allows 2 fills locally and then requires a 90 day prescription mail order or CVS Pharmacy pickup. The mail order is not an option as I am out of medication and will have to schedule an appointment with my doctor to get a prescription change with an average wait of 10-15 days for an opening. Then the mail order takes an additional 15 days to arrive to my door in hopes it isn't stolen, tampered with, damaged in weather or incorrect temperatures, or the incorrect medicine arriving. The closest CVS Pharmacy to my residence is 21 miles one way (13 miles if you are willing to drive down gravel roads) to pick up medications located 2 towns away in a direction that I would not otherwise go for any other reason. That is for each medication meaning I would be making this trip often as they are filled different times each month. None of these options offer any benefit to anyone other than the PBM itself. I paid retail for my last prescription medication and with the use of a coupon paid less than if I were to have used my insurance that I pay a premium for! Plus there is the added convenience of driving to my local pharmacy 2 blocks from my house to get it versus the 1 hour round trip to the closest CVS Pharmacy. It also concerns me how other pharmacies are expected to survive with policies like this in place? It is my understanding that healthcare is a free market and these processes clearly are not in line with that.

The most recent issue I encountered with this PBM was when filling a routine prescription refill in January 2020 the PBM denied it stating the formulary had changed with the new year. The generic brand was removed from the list and the name brand was put in its place. CVS/Caremark advised that they mailed letters out in October of 2019 informing me of this. I never received a letter and requested a copy. CVS/Caremark refused to send me a copy stating it would be against HIPPA in case they were to accidentally fat finger the address. I advised that this is holding medical records and legal documents and still cannot get a copy sent to me even after speaking with a supervisor. Instead they offered to read it to me over the phone. What was read over the phone mentioned the formulary change and that this change would be of no additional cost to me. In Oct 2019 was when the letter should have been sent, the generic costs at that time pre-deductible was \$57.13. The costs to fill it in Jan 2020 is now \$103.88. How is this no additional costs to me? CVS/Caremark said that the prices were adjusted on Jan 1, 2020 and as of that time the generic price doubled since Dec 31, 2019 to match what the supposed letter states. I spent all of my personal time for 4 days getting this worked out by making numerous calls to the PBM, Kansas Insurance Commissioners office, doctors office and several local pharmacies trying to figure out how I am going to get medicine since I can no longer afford it and to figure out what alternatives there are. I went without medicine for 5 days because of this until I paying the higher price by putting on a credit card to buy me some time to find a permanent solution. The medicine is the Adderall XR time release capsules. The formulary on CVS/Caremark's web page did not show anything but name brand as being covered

for any ADHD medications. Pharmacies need the prescription to run coverage scenarios and the doctor's office could only see a list of name brand medicines on the formulary with no ability to know pricing, so no one was able to help me find cost saving alternatives. I called the CVS/Caremark automated line and started listing every medication found on the formulary one by one to hear pricing given by the computer and found that the Adderall Immediate Release is available as generic and costs \$15 as no one from the PBM cared to mention it. The formulary list found on the CVS/Caremark website only showed brand names next to the medication type making this unknown. If I would not have stumbled across this I would have stopped treatment as my doctor said it will work with my diagnosis. All of the other medicines on the formulary costs even more than my original prescription. Some exceed \$400 a month! I work with 2 other people that have stopped treatment due to this exact same tactic and don't feel like anything they do will have an effect. This wasted the time of so many people I can't begin to fathom the wasted time and money it is causing at the state or national level. Every prescription I have encountered one issue or another causing so much frustration that I am weighing whether I even want to continue coverage or treatment.

The citizens of Kansas not only pay for better healthcare than the examples I have provided you, they deserve it. It doesn't have to be like this nor should it. Please Help Make Kansas Great Again!

I am proud to be able to support HB 2598. This bill provides for much-needed oversight of PBMs in Kansas. HB 2598 will assist in providing patients and payors in the state the information and the environment they need to make the best decisions regarding where they get their medications, how much they pay, and who they have assisting them in achieving their best health.

Thank you, Chairman and Committee, for your consideration of HB 2598.