



January 11, 2018

The Honorable Eileen Cody, Chair
The Honorable Nicole Macri, Vice Chair
Honorable Members
Health Care & Wellness Committee
Washington House of Representatives

257A John L. O'Brien Building
P.O. Box 40600
Olympia, WA 98504-0600

C/O: Kendra Coburn
Legislative Assistant
Kendra.Coburn@leg.wa.gov

RE: HB 2296 (Slatter/Schmick) AN ACT Relating to protecting consumers from excess charges for prescription medications; adding a new section to chapter 19.340 RCW;2 3 and creating a new section. – **SUPPORT**

Dear Chairwoman Cody, Vice Chairwoman Macri, Honorable Members:

The Chronic Care Policy Alliance is a multi-state alliance of chronic care coalitions and collaboratives, that serves to provide support and policy guidance for state chronic care organizations in the support of chronic care patients. We urge for your support of HB 2296, which is a bill that addresses an ongoing problem facing patients regarding the cost of medications.

Pharmacy Benefit Managers (PBMs) often require a pharmacist to utilize a process known as “clawbacks”, where the pharmacist is required to charge a co-payment although the cost of the drug, if paid in cash, would be much less. Under this practice, the pharmacist is reimbursed at the normal rate, but is contractually obligated to send the over-charged “clawback” to the PBM. Further, in these cases the pharmacist is often required by the PBM to sign a “gag order”, which prohibits them from advising the patient that the cost of their medication would be far less if paid in cash. This is an egregious practice that is unfair to patients and exacerbates the ongoing problem regarding the cost of medications. Clawbacks and gag orders operate for the benefit of the PBM, and to the detriment of the patient.

HB 2296 is a good bill that would provide sound public policy for the protection of all patients and consumers in Washington and we commend Representative Slatter and Senator Schmick for bringing this legislation forward. We urge your support.

Sincerely,

Elizabeth Helms
Elizabeth Helms
Chief Executive Officer
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