



June 28, 2017

Mr. Jason Helgerson
Director Office of Health Insurance Programs
New York State Department of Health
Empire State Plaza
Corning Tower (OCP – 1211)
Albany, NY 12237

Dear Mr. Helgerson:

The Pharmacists Society of the State of New York requests that you delay implementation of the Emblem Health/Express Scripts proposed pharmacy network change scheduled to go into effect July 15, 2017.

The review process to ensure that a network meets or exceeds network adequacy standards as required by the Department of Financial Services pursuant to Insurance Law Section 3241(a), by the admission of the Office of Health Insurance Plans (OHIP), was not thoroughly reviewed and yet, the network contraction was approved and scheduled to proceed as proposed by Emblem Health/Express Scripts. We respectfully request an immediate delay in its implementation to safeguard the health of our patients while the OHIP determines that the network's adequacy meets the law's requirements. We also request an investigation into determining how this was able to occur and how OHIP will ensure that it will not be repeated.

Each time a network contraction occurs, the pharmacies that are impacted—both those excluded from the network and those acquiring new patients—experience significant workflow interruptions. To ensure patient care and access, excluded pharmacists need to contact the prescribers of the impacted patients, educate the patients of the change and how to proceed with their medication therapy and assist them with converting their information and records to a new pharmacy.

Patients in poorer health and those that suffer from multiple chronic conditions will be the most impacted. These patients take multiple medications and typically require an increased level of oversight and care on the part of the pharmacist to ensure that they are utilizing medications properly and adhering to their treatment regimens. During a transition such as this, it is even more critical that these patients are handled properly. CMS requires states to develop and

enforce network adequacy standards (time and distance requirements) for critical provider types, including pharmacy for this very reason.

Implementing the network changes by July 15 is unrealistic because of the current state of confusion among patients and pharmacies. Delaying until a proper review of the proposed network is imperative and communicating that delay by July 1 will make it more manageable for pharmacies and patients. We would anticipate that the OHIP and Emblem Health would be responsible for communicating this delay, although we are prepared to assist in the communication to our member pharmacists if needed.

Sincerely,

Roxanne Richardson

Roxanne Richardson, RPh
President
Pharmacists Society of the State of New York

A handwritten signature in black ink, appearing to read 'S. Brunner', with a stylized, cursive script.

Scott Brunner, CAE
Senior VP Communications & State Government Affairs
National Community Pharmacists Association

CC:

Janet Zachary-Elkind, Deputy Director, Division of Program Development & Management
Paul Francis, Deputy Secretary to the Governor for Health