

May 31, 2022

The Honorable Phil Scott  
Executive Office of Governor Phil Scott  
109 State Street, Pavilion  
Montpelier, VT 05609

**RE: THANK YOU FOR SUPPORTING H. 353**

Dear Governor Scott:

On behalf of the National Community Pharmacists Association (NCPA), I want to **thank you for signing H. 353 into law**. NCPA represents the interest of America's community pharmacists, including the owners of more than 19,400 independent community pharmacies across the United States and 37 independent community pharmacies in Vermont.

H. 353 will help patients retain access to their trusted pharmacy by protecting their right to choose the in-network pharmacy provider that is best for them. Too often, that choice is stripped from patients by their pharmacy benefits manager (PBM), which forces patients to use a particular pharmacy to fill their prescriptions, particularly high-cost specialty drug prescriptions. This legislation will provide further patient protections by limiting formulary changes and prohibiting excessive co-pays imposed by PBMs.

This legislation imposes a fiduciary duty from the PBM to the health sponsor requiring the PBM to act in the best interest of the plan sponsor. Additionally, it prohibits certain anticompetitive practices by PBMs, including:

- Requiring more stringent accreditation requirements than the state
- Reimbursing non-PBM affiliated pharmacies at a rate less than PBM affiliated pharmacies
- Penalizing pharmacies for disclosing information about the PBM to state/federal officials

Finally, H. 353 requires the state to investigate issues such as reimbursement transparency, spread pricing, and other PBM practices that raise costs for patients and plans. With the signing of this bill, you have strengthened patient access to pharmacies, which are the most accessible healthcare providers. Thank you for supporting patients and small business pharmacies in Vermont.



Anne Cassity, JD  
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National Community Pharmacists Association