

February 23, 2026

The Honorable Brian Helton  
Chair, Senate Health and Human Resources Committee  
Room 439M, Building 1  
State Capitol Complex  
Charleston, WV 25305

Dear Chair Helton and Members of the Committee:

I am writing on behalf of the National Community Pharmacists Association (NCPA) in support of HB 5430, legislation that further establishes West Virginia as a leader in tackling the most challenging issues brought to the healthcare ecosystem by pharmacy benefit management companies (PBMs). NCPA urges your support for the bill.

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 189 independent community pharmacies in West Virginia. These pharmacies employed more than 2,300 residents and they filled more than 12.7 million prescriptions in 2024.

Community pharmacists have long known that opaque PBM practices not only hamper patients' ability to obtain pharmacy services from their trusted community pharmacists, but those practices can also lead to higher drug costs for both patients and plan sponsors. Due to the massive consolidation and vertical integration in the health insurance market<sup>1</sup>, the three largest PBM's control 80% of the prescription drug market<sup>2</sup> giving them the power to engage in abusive practices which limit patient access, increase drug costs and threaten the viability of small business pharmacies.

NCPA strongly supports the provisions to eliminate spread pricing. We appreciate the innovative approach taken in HB 5430 by prohibiting PBMs from charging health plans offered by WV employers amounts greater than national average drug acquisition cost (NADAC) for prescription drugs. These provisions will improve transparency and save money. As West Virginia well knows from its reform of its Medicaid program, spread pricing can be costly. But this waste is not just found in Medicaid programs. A 2024 groundbreaking study from Washington State identified rampant spread pricing in the commercial market.<sup>3</sup>

NCPA also supports the provision that prohibits PBMs from utilizing, participating in, or owning part of a group purchasing organization (GPO) for purposes of circumventing WV law under the *Pharmacy Audit*

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<sup>1</sup> <https://ncpa.org/sites/default/files/2023-01/verical-bus-chart.jpg>

<sup>2</sup> [Drug Channels: The Top Pharmacy Benefit Managers of 2021: The Big Get Even Bigger](#)

<sup>3</sup> <https://www.3axisadvisors.com/projects/2024/6/25/understanding-drug-pricing-from-divergent-perspectives-state-of-washington-prescription-drug-pricing-analysis-jh92>

*Integrity Act.* PBMs are regularly circumventing laws with cunning and deep pockets. In this instance, PBMs are currently violating WV's rebate laws by hiding rebates in offshore GPOs. This provision also addresses the aforementioned vertical integration that has gotten out of control at the expense of patients and community pharmacies alike.

We also support the provision to require an updated pharmacy cost of dispensing study by the end of 2026. Transparent cost-based reimbursement requires up-to-date data, both for reimbursing the pharmacist for the drug product, but also for associated costs that go into dispensing drugs. NCPA recommends that surveys be performed every 2-3 years to keep the figure current.

Last but certainly not least, we support giving authority to the Office of the Insurance Commissioner for oversight of the PEIA PBM. The West Virginia OIC has been a national leader in PBM oversight and enforcement. Adding the PEIA to its purview will add consistency and continuity in West Virginia, not to mention excellence.

Thank you for receiving our perspective. We urge you to advance this critical legislation. If you have any questions, please do not hesitate to contact me at (703) 600-1186 or [joel.kurzman@ncpa.org](mailto:joel.kurzman@ncpa.org).

Sincerely,

A handwritten signature in black ink that reads "Joel Kurzman". The signature is written in a cursive style and is centered within a light gray rectangular box.

Joel Kurzman  
Director, State Government Affairs