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## **OPPOSE HB 5262**

Joint Committee on GENERAL LAW  
February 24, 2014

Respectfully submitted by Heather R. Cascone – Director, Government Affairs

Thank you for the opportunity to submit our testimony on HB 5262, an act concerning pharmacy practice. Express Scripts respectfully opposes the bill.

Express Scripts is pharmacy benefit manager, or “PBM,” and it is our goal to make prescription drugs safer and more affordable. We believe HB 5262 would restrict our ability to implement important plan management programs – tools that plan sponsors use to help keep costs down – and ultimately drive up the cost of pharmacy care for the state and its employers.

Section 3(a) of the bill amends the definition of “nonresident pharmacy” to mean any pharmacy located outside the state that “provides any aspect of the practice of pharmacy to residents of this state.” We believe this definition would create an overly burdensome regulatory landscape which would drastically increase the number of pharmacies over which the State Board of Pharmacy would be responsible for oversight.

Section 5(a)(4) would require the reporting of “any disciplinary action taken against the nonresident pharmacy by any state or federal agency” to the Board. We are concerned that this reporting could result in duplicative punishment from the State Board of Pharmacy for non-resident pharmacies.

It is for these reasons we respectfully oppose HB 5262. If you have any further questions or concerns, please do not hesitate to contact me at (201) 269-6401 or [heather\\_cascone@express-scripts.com](mailto:heather_cascone@express-scripts.com).