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Rep. William J. Lippert  
Chair, House Committee on Health Care  
Vermont State House  
115 State Street  
Montpelier, VT 05633

March 7, 2022

The Honorable Chair Lippert,

I wanted to take a moment to thank you for your engagement on H. 353. I am speaking as the representative of the Vermont Pharmacists Association, but more as a health care provider, a Vermonter, and as a patient myself.

I work in a family medicine clinic as a pharmacist who specializes in diabetes management. Every single day, I see how my patients are harmed by the current system - lack of access, lack of choices, and amid ever increasing medication prices. I share their frustration with a system that keeps them from going to their neighborhood pharmacy to pick up their medications when they want to, that keeps them from accessing services like medication pill packing or synchronized refills. I help them strategize how to make do when their insulin arrives frozen or when their medications for high blood pressure, depression, or cholesterol do not arrive at all.

I also hear the frustration from the other health care providers in the clinic. Instead of talking to patients, they must use their time to navigate a morass of barriers to medication use and respond to irrelevant correspondence from PBMs. These are the health care providers now who are caught in the crossfire of trying to serve the health care needs of Vermonters and the PBMs whose only interest in Vermont is monetary. You have also shown yourself to be a champion of health care providers, especially as they are hard hit serving on the front lines of this pandemic. While the current environment is truly a threat to the ability of our pharmacies to remain in business for even another year, the impact of unregulated PBMs goes far beyond pharmacies.

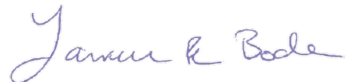
The provisions of this bill have been reviewed by numerous technical experts in the State and nationally. As was heard in testimony two weeks ago, the Department of Financial Regulation believes they should take this on. There is interest also from the VT Health Care Advocate and the office of the Governor. Nationally, we are seeing numerous other states (e.g., New York, Oklahoma, North Dakota, Tennessee, Michigan) and major healthcare organizations take actions on this issue. There are pharmacy organizations like the National Community Pharmacists Association and the American Pharmacists Association, but also organizations like the Community Oncology Alliance and the Diabetes Patient Advocacy Coalition.

This week, while we think it would be helpful to hear from the pharmacists and constituents who are most harmed by the current state and would welcome the opportunity to address the committee on Thursday, we recognize the time constraints of the committee. Therefore, we feel confident that these discussions can be ongoing in the Senate Health and Welfare committee.

While I do count myself an expert in medications, I do not have your expertise in legislative matters, so I hope I can count on your guidance in determining the best path forward. What I would propose is that the bulk of the bill can be passed on as is because it is NAIC model language with adaptations for existing Vermont statute, some of which you were instrumental in passing. The wholesaler piece is a new concept that deserves further study, so it seems reasonable to me that this be pulled off for additional analysis. We also regard DVHA as a model of a good faith actor in this area, so we would support any additional language that would be needed to exclude them from the provisions of this bill.

You were instrumental in the passage of bills concerning audits clauses and gag orders, which were important steps to help implement some basic protections for pharmacies and the patients we serve. We are counting on your expertise and leadership again to guide us through the passage of this bill this week, to extend these protections so that our pharmacies will still be around to continue to take care of Vermonters in years to come. Please do not hesitate to reach out with any questions that I may help address.

Sincerely,

A handwritten signature in blue ink that reads "Lauren E. Bode". The signature is written in a cursive, flowing style.

Lauren E. Bode, PharmD, BCPS, CDCES  
Interim Executive Director  
Vermont Pharmacists Association