

Letter to the New York State Legislature and Governor Andrew M. Cuomo

In support of A.5723A (Heastie) / S.3995A (Maziarz) : An Act to Amend the Insurance Law in relation to the purchase of prescription drugs.

April 24, 2014

The undersigned groups call on the New York State Legislature and Governor Cuomo to pass and sign A.5723A (Heastie) / S.3995A (Maziarz). This bill closes a loophole being exploited by the health insurance industry to force New Yorkers with private health insurance to use mandatory mail-order pharmacies. As a result, consumers with life-threatening and chronic conditions face a variety of barriers to their health and privacy. They also lose their relationship with New York State-licensed pharmacists, whose business is being outsourced to out-of-state, wholly-owned subsidiaries of the insurance companies.

We continue to hear from consumers that they are being forced to use mail-order pharmacies for medications deemed “specialty drugs” by the insurance companies. These include, but are not limited to, medications for cancer, HIV, mental health conditions, organ recipients, Hepatitis, Hemophilia, and other treatments deemed expensive by the industry.

As a result, consumers cannot access prescription drug counseling from trusted, local pharmacists and face unreasonable and dangerous delays in accessing their medication, which can interrupt drug regimens. Medications that require refrigeration are left to spoil at the front door and sometimes do not arrive at all. Information about sensitive medical conditions, including HIV status and cancer treatment, is disclosed to family members or neighbors who receive medications in error. Additionally, consumers are forced to make more frequent co-payments because some plans deny access to 90-day supplies of medications.

When consumers are forced to use mail-order pharmacies, business is stripped away from community pharmacies. This deprives consumers of the personal service and culturally competent expertise of a New York State-licensed pharmacist. Community pharmacists also develop relationships with local residents and know their medical histories, which is among the reasons why local pharmacists help with medication adherence and the prevention of dangerous drug interactions.

Consumers, not the insurance companies, should choose whether to receive medications by mail or from a local pharmacy. We urge the Legislature and Governor Cuomo to take action now to protect the health of New Yorkers by passing and signing A.5723A (Heastie) / S.3995A (Maziarz).