



September 3, 2021

The Honorable Gavin Newsom
Governor, State of California
State Capitol
Sacramento, CA 91814

RE: SB 524 (Skinner) – Choose Your Pharmacist – SUPPORT

Dear Governor Newsom:

The American Pharmacists Association (APhA) supports SB 524, which will protect patients' choice and ability to access the pharmacies in their network.

APhA is the largest association of pharmacists in the United States advancing the entire pharmacy profession. APhA represents pharmacists in all practice settings, including community pharmacies, hospitals, long-term care facilities, specialty pharmacies, community health centers, physician offices, ambulatory clinics, managed care organizations, hospice settings, and government facilities. Our members strive to improve medication use, advance patient care and enhance public health. In California, APhA represents over 3,500 pharmacists and students that provide care to yours and your colleagues constituents. As the voice of pharmacy, APhA leads the profession and equips members for their role as the medication expert in team-based, patient-centered care. APhA inspires, innovates, and creates opportunities for members and pharmacists worldwide to optimize medication use and health for all.

SB 524 will help ensure that patients can use their own in-network pharmacist by prohibiting "patient steering"—a practice whereby pharmacy benefit managers (PBMs) limit patients' ability to access the pharmacies in their network. PBMs inform patients that they must have their prescriptions filled at a select pharmacy or pharmacies—typically select retail and/or mail-order pharmacies owned by the PBM—even though there are other pharmacies in the network that the patient wishes to use and that are

able to fill the prescription. Patients are told they will risk not having their prescription filled or have to pay out of pocket for their prescription if they do not use the PBM's selected pharmacy.

Patient steering not only restricts patients' choice, but can also break up trusted relationships with patients and providers in the community. Patients, especially those with complex medication regimens and specialty treatments, rely on counseling from trusted pharmacists who understand their medical histories and can make adjustments to avoid dangerous drug interactions or address potential side effects.

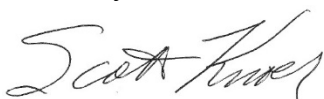
In some cases, requiring patients to have their prescriptions filled only at a select retail or mail-order pharmacy can create significant difficulties for the patient and put patient privacy at risk. In December 2020, the Ninth Circuit Court of Appeals upheld a discrimination claim from HIV patients who were required to obtain their HIV medications by mail-order or pharmacy drop shipment service. Having the medications delivered to their home, workplace, or a retail pharmacy risked neighbors and coworkers learning about their HIV status and restricted their ability to consult with a trusted pharmacist who was familiar with their patient history.

Patient steering additionally puts small, independent pharmacies in a vulnerable position by allowing unfair advantages to pharmacies owned or operated by the PBM or its corporate affiliate.

SB 524 will protect patients' access to choose the pharmacy in the network that best serves their health care needs.

For these reasons, we support SB 524 and respectfully request your approval of the bill.

Sincerely,

A handwritten signature in black ink that reads "Scott Knoer". The signature is written in a cursive, flowing style.

Scott Knoer, M.S., Pharm.D., FASHP
Executive Vice President and CEO
American Pharmacists Association