

Maine drug purchasing law challenged

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BANGOR — A trade group representing pharmacy benefit managers filed suit in U.S. District Court last week challenging a new Maine law that requires them to reveal financial information about their drug purchases.

The Pharmaceutical Care Management Association maintains that the law, which takes effect on Sept. 13, is unconstitutional and would harm consumers.

Pharmacy benefit managers negotiate with drug makers on behalf of health insurers, employers and unions that cover medications. The Maine law requires them to tell their clients the discounts they get.

But revealing that proprietary information would prevent PBMs from maximizing savings they derive from volume purchases, according to PCMA. The trade group asserts that the Maine law would make it easier for rival PBMs, drug makers and regulators to get pricing information, in effect weakening PBMs' ability to bargain for cheaper prices.

"Ironically, this law will likely force Maine's working families, disabled and seniors to pay more, not less, for prescription drugs," said PCMA President Mark Merritt.

Maine Senate Majority Leader Sharon Treat said that under the law she sponsored, the discount information would not be widely available. Treat, D-Farmingdale, said the law is an effort to establish ethics rules for PBMs. "It seems to me they don't want their own clients to know if they're getting a good deal," she told the Wall Street Journal. □