



# REGULATING PBM'S IN MISSISSIPPI

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# PBM TIMELINE

Pharmacy Benefit Prompt Pay Act enactment – gave Dept of Insurance authority to require filing of a financial statement by PBM

2006

Pharmacy Audit Integrity Act – no recognition of enforcement

2008

Licensing authority given to Board of Pharmacy.

2011

Became effective January 1, 2021. Authorized more teeth to include fines.

2020

No legislation passed.

2022

No legislation passed.

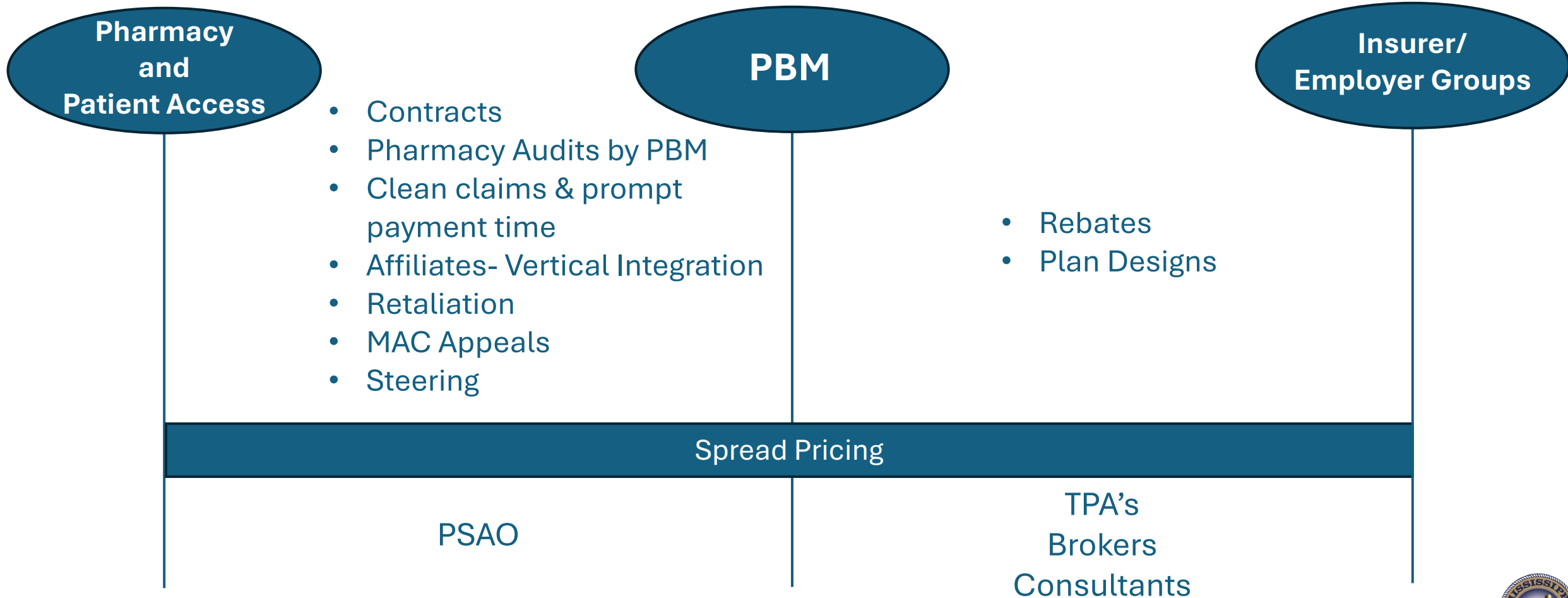
2023

No legislation passed.

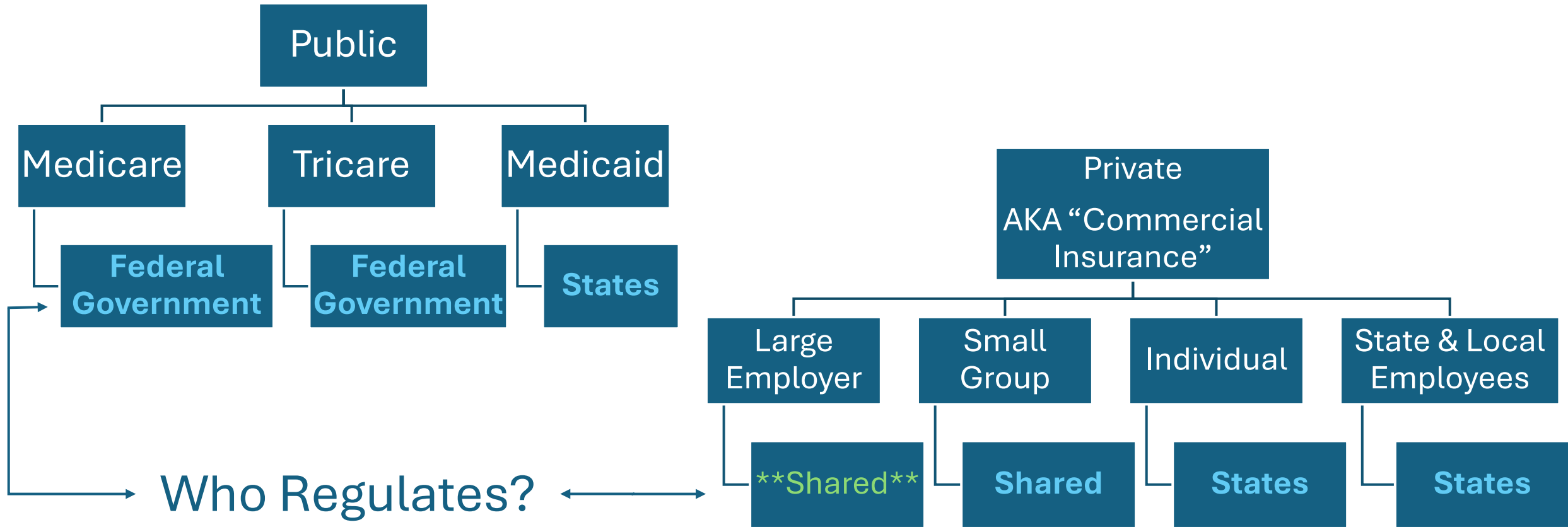
2024



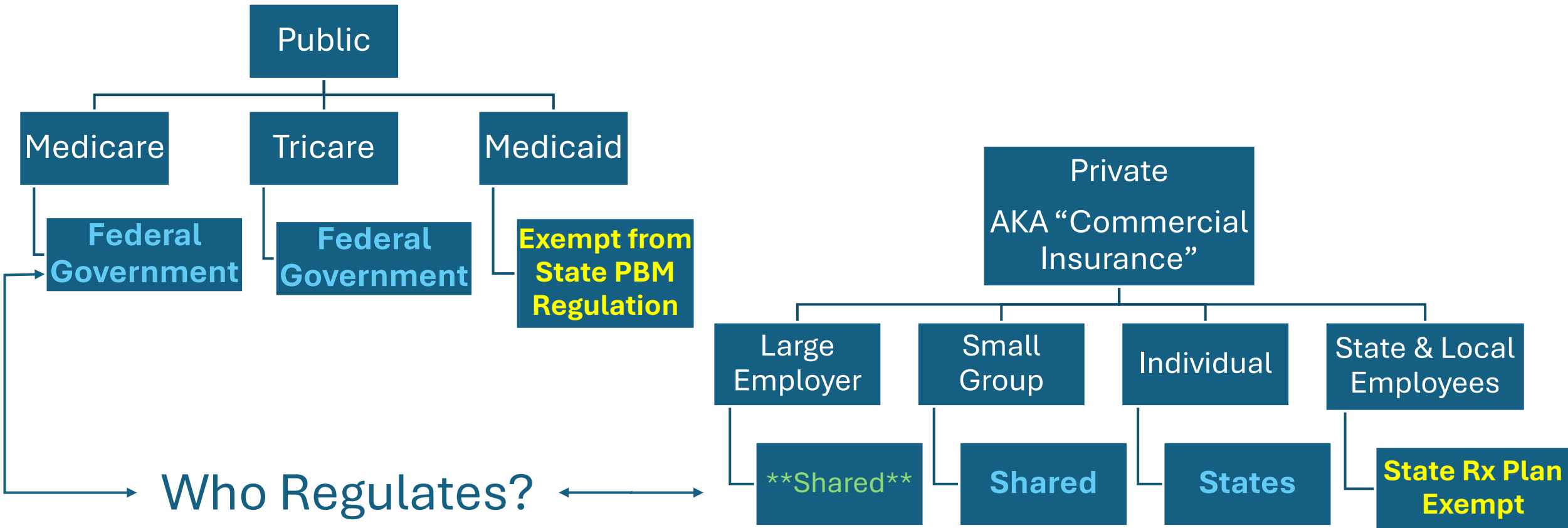
# Role of PBMs



# PBM Oversight in USA



# PBM Oversight in Mississippi



# Recent PBM Administrative Actions

PBM	Infraction	Resolution	Maximum Fine Allowed per Statute
EmpiRx	No license Appeal Procedure	Became licensed; \$15,000 fine	\$7,675,000
Benecard	Appeal Procedure	\$25,000 fine Appeal Process Corrections and Pathway	\$75,000
Prime	Appeal Procedure	\$50,000 fine Appeal Process Corrections and Pathway	\$8,600,000



# Current PBM Administrative Proceedings

<b>PBM</b>	<b>Alleged Infraction</b>	<b>Resolution</b>	<b>Current Scheduled Hearing</b>
Express Scripts	Appeal Procedure Items	Pending Negotiations and Hearing	September 2024
CVS Caremark	Appeal Procedure Items; Incomplete Document Requests	Pending Negotiations and Hearing	September 2024
Optum	Multiple stemming from recent Audit Retroactive clawbacks	Pending Negotiations and Hearing	September 2024



# How do Common PBM Practices Impact Patients?

- Steering/Referrals → Patient unable to choose pharmacy  
Potential delays in care
- Negative Remittances → Patient pays more than necessary
- Underwater Reimbursement → Lack of Access
- Not all PBM activity regulated → Lack of Statutory Protections





# Mission Statement

The mission of the Board is to protect and promote the health of Mississippi citizens by regulating and controlling the practice of pharmacy and the distribution of prescription drugs and devices.

The Pharmacy Benefit Management Program licenses PBM's and helps ensure appropriate patient access and services are provided as authorized by MS law.



# Questions and Contact Us

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