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**PSSNY THANKS GOVERNOR CUOMO, STATE LEGISLATURE FOR EMPOWERING
COMMUNITY PHARMACY PATIENT CARE**

**New Laws Include Right of Open Dialog between Patients and Pharmacists, Opportunities for
Expanded Care and Make Copay Clawbacks Illegal**

ALBANY, NY (March 30, 2018) – The Pharmacists Society of the State of New York (PSSNY) thanks Governor Andrew Cuomo and the New York state legislature for including several new provisions in the just-passed budget agreement that would restore the patient-pharmacist relationship and mitigate some of the power pharmacy benefit managers (PBMs) have held over patients, taxpayers and pharmacy care providers for several years.

The state’s budget includes language that provides the following protections for New York’s most vulnerable communities and populations.

The elimination of gag clauses and the right of open dialog between patients and pharmacists. Patients and their pharmacists may now speak openly about lower-cost options for prescribed medication.

The elimination of patient copay clawbacks. Pharmacies will no longer be subject to back-billing by PBMs for medications that are less than the cost of the patient’s copay.

The expansion of immunization authority at the pharmacy. Gov. Cuomo’s executive order this year allowing pharmacies to immunize children for flu has been enacted into law, allowing patients and caregivers to obtain immunizations on their schedule at the pharmacy.

Protection from retaliation and due process for PBM-mandated audits. PBMs routinely audit pharmacies as a normal function of business but are not required to schedule audits or report audit results in a timely manner. PBMs will be required to schedule and report audits within a 6-week timeframe and with a minimum of patient service interruption.

Opioid Assessment. Protecting patient access to critical medications at community pharmacies while providing dedicated funding for addressing the opioid epidemic is promising with the added layer of protection in the sale and distribution of opioid medications.

“The new laws are important steps toward a more fair and transparent environment for patients and their healthcare providers,” said Kathy Febraio, PSSNY Executive Director. “We appreciate the

efforts of our legislators and the support of the communities who rallied around these causes and have made it possible for community members to continue to rely on care from their neighborhood pharmacies. We look forward to advancing the profession of pharmacy and best serving patients.”

The Pharmacists Society of the State of New York (PSSNY) has served as the society for the state’s pharmacists for more than 138 years providing advocacy and resources to pharmacists to improve patient care. To learn more about PSSNY, visit www.PSSNY.org.

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