

Express Scripts

THE PHARMACY
BENEFITS
MANAGER
CONTINUES ITS
QUESTIONABLE
BUSINESS
PRACTICES

EXPRESS SCRIPTS 888-327-9791 76025 [REDACTED] PAGE 02/02

NEW MEDICATION REQUEST
Prescription Drug benefit provided by: UNITED AMERICAN INSURANCE
Your response can save the patient up to \$3,119.36 a year.

Patient: SCOTT NORRIS

STEP 1 VERIFY

Prescriber Information RONALD HOFFMAN 305 SOUTH DR STE 5 MOUNTAIN VIEW CA 94040-4207 Phone: 650.867.7615 Fax: 650.867.3801 NPI#: NPI ON FILE	Patient Information: SCOTT NORRIS [REDACTED]	Prescribed Medication Rx No: [REDACTED] Drug: KEPPRA TABS Strength: 500MG Quantity: 450 Refills: 3 Directions: TAKE TWO AND ONE-HALF TABLETS TWICE A DAY
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Return Within 48 Hours

STEP 2 To authorize a **GENERIC SUBSTITUTION** and save the patient money, provide signature below.

ARTHUR W. DOUVILLE, JR, MD
305 SOUTH DRIVE, STE 5
MOUNTAIN VIEW, CA 94040
CA LIC A25104 NPI 1205951688

STEP 2 LEVETIRACETAM TABS 500MG
Quantity: 450 Refills: 3
TAKE TWO AND ONE-HALF TABLETS TWICE A DAY

Pt wants "Keppra". Brand, not generic.
PATIENT SAVINGS PER YEAR \$3,119.36

Sign and date here X Arthur W. Douville, Jr, MD Date: 6/29/14
(Stamps are not accepted. Signature required.)
In order for a brand name product to be dispensed, the prescriber must handwrite "brand necessary" or "brand medically necessary" in the space below.

No Substitution ok per Dr. Arthur Douville, MD 6/30/14

STEP 3 Fax to 800.837.0959. Do not use a cover sheet. Do NOT send a separate prescription.

- Savings based on a new Rx for the same quantity as originally prescribed, assuming continued therapy for 1 year. Savings determined by pricing and the patient's plan design at the time of this communication. Only the listed strength/dosage is preferred.
- The preferred generic alternative is therapeutically equivalent (A-rated by the FDA) to the brand name medication prescribed. The generic equivalent contains the same active ingredient(s), and is available in the same strength(s) and dosage form as the brand name medication.

ARTHUR W. DOUVILLE, JR, MD
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Express Scripts: The Pharmacy Benefits Manager Continues Its Questionable Business Practices

By Scott Norris

On June 21st, 2014, I successfully refilled one of my anti-seizure medications using the automated telephone refill service of Express Scripts, my pharmacy benefits management company. Express Scripts, however, apparently had different plans for me.

Even though the existing prescription was valid, and was in the middle of a refill cycle (I had two refills left), Express Scripts faxed a "New Medication Request" form to my doctor (see picture above) in an

obvious attempt to switch me to the generic form of the medication.

Express Scripts did this without prompting from my doctor, without consulting myself or my wife, in full awareness that the prescribing physician originally indicated brand due to its increased efficacy in controlling seizures versus the generic form, and with full knowledge that the brand form of this medication has been prescribed for me for years.

Oh, by the way, the original prescription that I had refilled on June 21st, 2014 was cancelled (as

was the refill order). If this doesn't constitute Gross Negligence on the

If this doesn't constitute Gross Negligence on the part of Express Scripts, I don't know what does.

September



2014

Scott Norris is an award-winning artist and brain cancer survivor. He and his wife Cheryl live in San Jose, California. Scott has an MBA from San Jose State University, a BA in psychology from the University of California, Santa Barbara, and he also completed University of New Mexico's program in Curriculum & Instruction in Multicultural Teacher Education. To learn more about Scott visit scottnorrisartstudio.com.

In May of 2008, Washington state Attorney General Rob McKenna's office sent out a press release entitled, 'Express Scripts to pay \$9.5 million to resolve consumer protection claims.' The press release indicates: 'Today's settlement with Express Scripts is part of our ongoing efforts to ensure that pharmacy benefits managers conform to the ethical business standards that all of us deserve and expect.'

part of Express Scripts, I don't know what does. (It takes a questionable set of ethics to attempt to influence aspects of the doctor / patient relationship, especially when it comes to the dispensing of medication.)

It took more than two weeks, three individuals (myself, my wife, and a representative from my doctor's office), several wasted phone hours, and multiple incomplete prescriptions to resolve this issue and get me back on the proper medication.

After doing some research, I found out that I'm not the first to have problems with Express Scripts.

In May of 2008, Washington state Attorney General Rob McKenna's office sent out a press release entitled, "Express Scripts to pay \$9.5 million to resolve consumer protection claims."

The press release indicates: "Today's settlement with Express Scripts is part of our ongoing efforts to ensure that pharmacy benefits managers conform to the ethical business standards that all of us deserve and expect. ...

The Washington Attorney General's Office filed an Assurance of Discontinuance in Thurston County Superior Court. Other states filed similar versions of the agreement, in which Express Scripts agrees to make a series of disclosures to consumers, doctors and employers about its business practices. ...

The states allege that Express Scripts engaged in unfair business

practices by not clearly disclosing all details about the drug switching process."

There were many specific action items set out in the 2008 Express Scripts settlement. At least three appear to have been breached in my recent encounter with the company: "Obtain express, verifiable authorization from the prescriber for all drug switches," "Inform patients that they may decline a drug switch and the conditions for receiving the originally prescribed drug," and, "Adopt a certain code of ethics and professional standards."

Perhaps pharmacy benefits management companies should be read the Oath of a Pharmacist from time to time:

"I promise to devote myself to a lifetime of service to others through the profession of pharmacy. In fulfilling this vow:

I will consider the welfare of humanity and relief of suffering my primary concerns.

I will apply my knowledge, experience, and skills to the best of my ability to assure optimal outcomes for my patients.

I will respect and protect all personal and health information entrusted to me.

I will accept the lifelong obligation to improve my professional knowledge and competence.

I will hold myself and my colleagues to the highest principles of our profession's moral, ethical

gross negligence

and legal conduct.

I will embrace and advocate changes that improve patient care.

I will utilize my knowledge, skills, experiences, and values to prepare the next generation of pharmacists.

I take these vows voluntarily with the full realization of the responsibility with which I am entrusted by the public."