



400 NE 50th Street
Oklahoma City, OK 73105 405.521.2828
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Mark Lewandowski, Chair
Gregory S. Huenergardt, Member
Melanie Maxwell, Member, Co-Chair
Rose Thomas-Bendel, Member
Anthony J. “A.J.” Ferate, Member
Gena Perry, Commission Member
Teah Corley, Commission Member

**REGULAR MEETING OF THE
PHARMACY CHOICE COMMISSION**

Thursday, November 17, 2022 at 10:00 a.m.
Oklahoma Insurance Department
400 NE 50th Street
Oklahoma City, Oklahoma

MINUTES

OPEN MEETING ACT: A Regular Commission meeting of the Patient’s Right to Pharmacy Choice Commission (“Commission”) was held, November 17, 2022 around 10:00 am. The meeting location was live in the Public Conference Room of the Oklahoma Insurance Department (“OID”), at the address above and the public were welcome to attend publicly or to join remotely via a teleconference line that was available for the public to utilize during the business portion of the meeting by dialing CONFERENCE LINE: +1-866-846-9071 with Access Code: 65715. Mark Lewandowski, Chair, presided over the meeting.

Advance notice of this Commission meeting was transmitted to the Oklahoma Secretary of State on December 14, 2021 and posted on the OID website on November 15, 2022 at 10:22 a.m. The agenda was posted in a prominent public view by the front doors of the Department located at 400 NE 50th Street Oklahoma City, Oklahoma on November 15, 2022 at 12:14 p.m.

MEMBERS PRESENT were Chairman Mark Lewandowski, Anthony J., “AJ” Ferate, Gregory Huenergardt, Rose Thomas-Bendel, Teah Corley.

MEMBERS ABSENT were Co-Chair Melanie Maxwell and Gena Perry.

Staff present to support the Commission: Dilan Lyda, Sherry Standerfer, Liz Stevens.

CALL TO ORDER.....Commission’s Chairman Lewandowski
Call to order 10:16 a.m. by Chairman Lewandowski, Commission’s Chair.

ROLL CALLCommission’s Chairman Lewandowski
After the roll call was taken, Commissioner Chairman Lewandowski announced the presence of a Quorum.

A. MINUTES:
The drafted minutes of the October 20, 2022, Meeting have not been completed. Therefore, approval of October’s Meeting Minutes needs to be tabled.

25 O.S. § 307 (B) *Executive sessions of public bodies will be permitted only for the purpose of:*
4. *Confidential communications between a public body and its attorney concerning a pending investigation, claim, or action if the public body, with the advice of its attorney, determines that disclosure will seriously impair the ability of the public body to process the claim or conduct a pending investigation, litigation, or proceeding in the public interest;*
7. *Discussing any matter where disclosure of information would violate confidentiality requirements of state or federal law;*
8. *Engaging in deliberations or rendering a final or intermediate decision in an individual proceeding pursuant to Article II of the Administrative Procedures Act;*



PATIENT’S RIGHT TO PHARMACY CHOICE COMMISSION

Insurance Commissioner, Glen Mulready

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Motion: Commissioner Corley made a motion to table October 2022 Meeting Minutes.
Second: Commissioner Thomas-Bendel.
Those Voting Aye: Chairman Lewandowski, Commissioner Corley, Commissioner Ferate, Commissioner Huenergardt, Commissioner Thomas-Bendel.

THE MOTION CARRIED: OCTOBER 2022 MEETING MINUTES TABLED.

- B. Public Comment:
 - a. No questions or comments from Commission members, OID, and audience members.

C. ADJOURNMENT OF BUSINESS MEETING

Motion: Chairman Lewandowski motioned to adjourn the Business portion of the Commission meeting.
Second: Second motion.
Those Voting Aye: Unanimous.

THE MOTION CARRIED: THE BUSINESS PORTION OF THE MEETING WAS ADJOURNED.

D. HEARINGS.....Commission’s Chair, Chairman Mark Lewandowski

The hearings before the Commission were conducted pursuant to the authority and jurisdiction of the Oklahoma Insurance Code, Title 36 O.S. §§ 101 et seq., Title 36 O.S. §§ 307, Title 59 O.S. § 356-360, and the Patient’s Right to Pharmacy Choice Act, Title 36 O.S. §§ 6958-6968, the Oklahoma Insurance Department’s Permanent Rules, OAC Title 365, and the Administrative Procedures Act Title 75 O.S. §§ 250 et seq.

THE FOLLOWING MATTERS WERE PRESENTED FOR CONSIDERATION AND ACTION BY THE COMMISSION:

1. Case Number 22-0443-DIS, State of Oklahoma v. Prime Therapeutics, L.L.C
This matter is set for a Scheduling Conference regarding Statement of Charges, Notice of Hearing, and Order to Show Cause filed by the State on November 2, 2022. Dilan Lyda appeared for the State of Oklahoma, Oklahoma Insurance Department. Heidi Long appeared for Respondent.

Motion: Commissioner Ferate motioned the Pre-Trial in 22-0443-DIS be scheduled for February 16, 2023, and the hearing be scheduled for April 20, 2023.
Second: Second motion

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Those Voting Aye: Chairman Lewandowski, Commissioner Corley, Commissioner Ferate, Commissioner Huenergardt, Commissioner Thomas-Bendel.

THE MOTION CARRIED: MOTION GRANTED.

E. ADJOURNMENT

Motion: Commissioner Corley moved to adjourn the meeting at approximately 10:25 a.m.

Second: Commissioner Thomas-Bendel.

Those Voting Aye: Chairman Lewandowski, Commissioner Corley, Commissioner Ferate, Commissioner Huenergardt, Commissioner Thomas-Bendel..

THE MOTION CARRIED: THE MEETING WAS ADJOURNED.

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