



400 NE 50th Street
Oklahoma City, OK 73105

405.521.2828
old.ok.gov

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, June 15, 2023, at 10:00 a.m.

MINUTES

A regular meeting of the Patient’s Right to Pharmacy Choice Commission (“Commission”) was held on June 15, 2023, at 10:00 am at the Oklahoma Insurance Department (“Department”), 400 NE 50th Street, Oklahoma City, Oklahoma. The agenda was posted on the Oklahoma Insurance Department’s website and in a prominent public view by the front doors of the Department 24 hours in advance in accordance with 25 O.S. § 311. The meeting notice was sent to the office of the Oklahoma Secretary of State, also pursuant to 25 O.S. § 311.

Members present were Chairman Mark Lewandowski, Anthony J. “A.J.” Ferate, Gena Perry, Teah Corley, and Rose Thomas-Bendel.

Call to Order

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

Roll Call

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

Minutes

ACTION:

Motion: Chairman Gena Perry motioned to approve the Minutes.

Second: Teah Corley seconded the motion.

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

Those Voting Nay: None

THE MOTION CARRIED: Motion approved.

Presentation and discussion on PCMA v. Mulready Oral Arguments and case update.

Liz Stephens, Attorney for the Commission, presented a status update regarding the PCMA case.

Oral arguments were held on May 16, 2023.

The Assistant Attorney General, Zach West, expects a decision in the next couple of months.

AAG West stated that the Court seemed skeptical of the State’s position.

Presentation and discussion of legislative updates.

Ashley Scott, Director of PBM Compliance, presented information regarding one House Bill 1843.

- House Bill 1843 bill was approved with a veto override. The bill will be effective on November 1,



PATIENT'S RIGHT TO PHARMACY CHOICE COMMISSION

Insurance Commissioner, Glen Mulready

400 NE 50th Street
Oklahoma City, OK 73105 405.521.2828
oid.ok.gov

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

2023. Enforcement of the Patient's Right to Pharmacy Choice Act will be transferred to the Attorney General's office. The Oklahoma Insurance Department will maintain licensing of PBMs. An update of the transition will be provided to the Commission when available.

- Rules have been approved by the Governor. The effective date of the rules will be September 1, 2023.

Update and discussion of 22-0637-DIS, State of Oklahoma v. Caremark, LLC.

Ashley Scott, Director of PBM Compliance announced that this matter was originally set for May 25, 2023, had been continued, by request of Caremark, LLC to November 6, 2023. Questions were asked if it would be heard before the Commission. Ashley responded that because it is a licensing hearing it is set to be heard before the administrative law judge assigned to the matter, Judge John D. Miller.

New Business

No new business was presented.

Adjournment

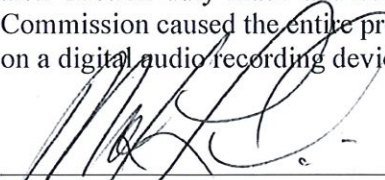
ACTION:

Motion: Chairman Perry motioned to adjourn the meeting.
Second: Commissioner Corley seconded the motion.
Those Voting Aye: Chairman Lewandowski, Commissioner Ferate, Commissioner Thomas-Bendel, Commissioner Perry, Commissioner Corley.
Those Voting Nay: None
THE MOTION CARRIED: Motion approved.

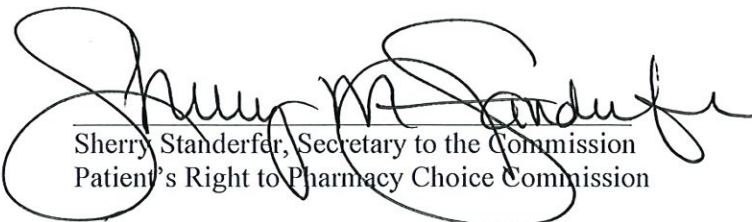
Adjournment at 10:18 a.m.

Official Minutes.

The action taken by the Patient's Right to Pharmacy Choice Commission on the items for consideration after Motion duly made and seconded has been noted, herein, and made a part of these minutes. The Commission caused the entire proceeding of the meeting, excepting any executive sessions, to be recorded on a digital audio recording device to be retained as a record in the office of the Commission.



Mark Lewandowski, Chairman
Patient's Right to Pharmacy Choice Commission



Sherry Standerfer, Secretary to the Commission
Patient's Right to Pharmacy Choice Commission