

FROM THE NAIC CONSUMER REPRESENTATIVES

March 10, 2025

To: Commissioner Grace Arnold, Chair of the Regulatory Framework (B) Task Force

RE: Consumer Representatives' Comments on "Draft Revised 2025 Charges for the Prescription Drug Coverage (B) Working Group"

On behalf of the undersigned Consumer Representatives to the National Association of Insurance Commissioners (NAIC), we voice our support of the proposed revised charges for a **Prescription Drug Coverage (B) Working Group** and urge its immediate adoption.

While we support broadening the focus of the Working Group, we hope you will continue to address the activities and regulation of PBMs, due to their profound impact on prescription drug access and affordability, the opaqueness of their operations, and the increased and evolving state regulation of their activities. Prescription drug access and affordability, in general, is of great concern to consumers and there are many other issues, besides PBMs, that impact their coverage and cost. We are pleased that the NAIC is planning to further examine insurer and PBMs compliance with the laws and regulations relative to prescription drugs and their impact on consumers.

We have two suggestions that we urge you to adopt as you consider the revised charges:

- 1) We propose to strike the word "coverage" in section A. While coverage is paramount, there are other components as well, including costs and pricing, therefore we would just recommend that it be broadened to read "prescription drug regulation"
- 2) We propose that "patient costs" also be included in the list of subjects that the Working Group examine in Section B. While all the issues listed are important, what matters most to consumers is how much they pay for their prescription drug once it is covered.

We also want to note that with the elimination of the Special (EX) Committee on Race and Insurance, we were told that each of the Committees would be responsible for updating their charges to include a focus on these issues. We note that these updated charges are not mentioned in this update, nor have we seen any updated charges for the B Committee that addresses them.

We thank you for your consideration of these changes and we look forward to providing the consumer perspective as this important work moves forward.

If you have any questions or comments, please feel free to contact Carl Schmid, HIV+Hepatitis Policy Institute at cschmid@hivhep.org.

Thank you very much.

Sincerely,

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