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As CVS and Aetna prepare to merge, Georgia wins major concessions

(ATLANTA - November 26) Thanks to the hard-fought efforts of several state associations and the Georgia Office of the Insurance Commissioner, the CVS/Aetna merger approved by the State of Georgia contained **some significant, one-of-a-kind concessions** from the companies before the state signed off on the deal.

In what can only be described as a major win for patients and community healthcare providers, Georgia's conditions for approval were significant and noteworthy.

The Georgia Pharmacy Association — along with the Medical Association of Georgia, Georgia Society of Clinical Oncologists, and Georgia Watch — had opposed the \$69 billion-dollar CVS/Aetna merger.

They argued that without proper protections, a single company controlling health insurance, medication access (via the CVS Health PBM), *and* acting as a pharmacy could be hazardous to patients' health by restricting their choice of healthcare providers and access to care.

So, at the urging of the four organizations, Georgia Insurance Commissioner Ralph Hudgens demanded those protections before approving the merger. Of note and, to date, unique to Georgia:

- CVS/Aetna must invite non-CVS healthcare providers (pharmacies, physicians, clinics, etc.) to join its networks, and must set the same criteria for all those providers.
- CVS/Aetna must allow Georgia patients to use any healthcare provider — in or out of network — if that provider accepts the same conditions as those within the network.
- CVS/Aetna cannot require patients to use CVS-owned pharmacies, period — not for regular prescriptions, refills, or specialty drugs. These concessions reduce the chance that a combined CVS/Aetna can limit patients' choice of healthcare providers.
- CVS must disclose the amount of rebates it receives from drug makers and how much of those it passed on to insurers.

We applaud Commissioner Hudgens for standing up to these companies and imposing these critical protections before approving the merger.

*If you'd like more information, quotes, or background, please contact Georgia Pharmacy Association VP of Public Policy **Greg Reybold** at (404) 290-9279 or greybold@gpha.org or CEO **Bob Coleman** at (404) 419-8121 or bcoleman@gpha.org to arrange an interview.*

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