

# Pharmacy Benefit Managers (PBM) Frequently Asked Questions



Consumers 1-800-686-1526 • Medicare 1-800-686-1578 • Fraud & Enforcement 1-800-686-1527

## ***My company is licensed as a Third Party Administrator (TPA) already. Do we need to apply for a new license to specifically identify as a PBM?***

No. The statute requires PBMs to license as TPAs rather than creating an additional license type. Any PBM with a current TPA license meets the licensing requirement. When you renew, the revised application will include a place to identify as a PBM. However, this information is primarily for Ohio Department of Insurance (ODI) purposes and does not impact your license compliance.

## ***What reports must a PBM provide to ODI to show compliance?***

The PBM does not need to file a report with ODI to show compliance. Rather, the PBM must obtain a TPA license from ODI if it has not already done so. In addition, the PBM is responsible for making certain that the necessary internal mechanisms are in place to ensure compliance with the pharmacy contract and plan sponsor pricing disclosure requirements. The PBM is not required to file pharmacy contracts prior to use.

## ***What do I do if I think a PBM is not complying?***

The department's Consumer Services Division will review complaints or inquiries, and ODI will initiate compliance investigations when necessary. If pharmacies, or plan sponsors, experience compliance issues, they should file a complaint either online at ODI's website or by telephone at 1-800-686-1526.

## ***Is there a department rule for PBM regulation, and if so, when will it be effective?***

Yes. Since statute requires PBMs to be licensed as TPAs, the rule regulating TPAs (Ohio Administrative Code 3901-8-05) will also regulate PBMs. The department is in the process of amending the rule to clarify that PBMs are now included in the rule. We anticipate a rule draft later this fall, with ample time for stakeholders to review and submit formal comments.

The rule amendments will not be effective for several weeks, probably late in the year. However, since statute specifically defines the requirements PBMs must follow the timeline for amendments to the rule does not impact compliance implementation.

## ***My pharmacy needs assistance in getting access to current price lists or information on my appeal from a PBM. Where do I go for help?***

Contact the ODI Consumer Services Division at 1-800-868-1526. Our representatives will gather information from you and the PBM to help resolve your concern.

## ***My pharmacy is trying to go into contract with a PBM, and the PBM does not seem to be including required information in the contract. Who can I contact?***

Contact the ODI Consumer Services Division at 1-800-868-1526. Please have any specific information you know on hand when you call. ODI will work with you and the PBM to assist in resolving the issue.