

BULLETIN 2020-10

RESCISSION OF BULLETIN 2020-04

Effective June 25, 2020

The purpose of this bulletin is to rescind attached Ohio Department of Insurance Bulletin 2020-04 (Temporary Suspension of Pharmacy Audits During Declared State of Emergency). Beginning on April 30, 2020, Governor Mike DeWine and the Ohio Department of Health announced and ordered the responsible reopening of various sectors of Ohio's economy on a staggered schedule. As businesses are reopening and returning to more regular operations, the need to suspend pharmacy audits is no longer necessary.

Superintendent of Insurance

A handwritten signature in blue ink that reads "Jillian Froment".

Jillian Froment Director

BULLETIN 2020-04**TEMPORARY SUSPENSION OF PHARMACY AUDITS
DURING DECLARED STATE OF EMERGENCY****Effective March 20, 2020**

This Bulletin pertains to all Third Party Administrators, including Pharmacy Benefit Managers, health insurance companies, and other entities licensed pursuant to the laws of Ohio relating to insurance (collectively, Administrators).

On March 9, 2020, Governor Mike DeWine declared a state of emergency in Ohio to protect the well-being of Ohioans from the dangerous effects of COVID-19, and directed state agencies to develop and implement procedures consistent with recommendations from the Department of Health designed to prevent or alleviate the public health threat. (See Executive Order 2020-01D.)

Since that declaration of emergency, Governor DeWine has ordered restrictions on activities affecting commerce in this state to prevent the spread of COVID-19, and the Ohio Department of Health has issued orders designed to ensure front line health care workers are best able to address health concerns.

The Superintendent of Insurance (“Superintendent”) has received concerns about the potential of diverting important resources away from insureds’ prescription drug services if pharmacies are subject to audits in the normal course of business by Administrators during the current state of emergency.

Accordingly, the Superintendent hereby orders and directs Administrators to suspend pharmacy audits during this state of emergency.

Conducting or attempting to conduct pharmacy audits during this state of emergency may be considered a fraudulent, coercive, or dishonest practice, and may subject an Administrator to legal action, including but not limited to, license suspension and/or monetary fines. (See, e.g., R.C. 3959.12.)

This Bulletin expires upon the expiration of the state of emergency declared by Governor DeWine on March 9, 2020.

Superintendent of Insurance



Jillian Froment
Director