

Louisiana Independent Pharmacies Association

What's New and What to Watch

LIPA Newsletter:

Bringing you the latest news and information concerning independent pharmacies and the profession at-large....



On Thursday, July 22nd, the LIPA Board met in Covington for several hours to conduct association business. On Friday, LIPA hosted an “all-day” Member Forum for the Board, member pharmacies and pharmacists, legislators, and guests. You are receiving the Newsletter this morning because the event went late into the evening on Friday.

LIPA will provide additional details about the Forum in our upcoming Newsletter. The LIPA Board and Staff greatly appreciate each of the fifty-plus guests that were able to attend the event. We look forward to hosting similar opportunities in the future.

LOUISIANA NOW HAS THE HIGHEST GROWTH RATE IN NEW COVID CASES PER CAPITA OF ANY STATE

“Let’s dust off our masks, and focus on getting more people vaccinated.”

- Governor John Bel Edwards

“We are taking in water and we have to start baling.”

- Dr. Joe Kanter

In a Friday afternoon press conference, Governor Edwards reported that our state is at “the tip of the spear” of what is “undeniably our fourth surge” of the COVID pandemic. Louisiana has seen a **higher growth rate** in new cases per capita (per 100,000 people) than any other state over the last two weeks (208%) and to try to help turn the tide, Governor Edwards issued the following [recommendations](#) (not mandates):

1. Return to wearing masks indoors when you cannot socially distance by six feet or more. *People entering state buildings including state employees will be required to wear a mask beginning Monday.*
2. COVID testing even if fully vaccinated for people who have been exposed to COVID *The CDC had relaxed to not recommend testing for fully vaccinated people following exposure.*
3. Businesses are asked to consider having employees work remotely if possible. *Prior to this fourth surge, LDH was planning to return to “bricks and mortar” work in early August.*

See LDH press release [here](#).

The delta variant is “more transmissible and more virulent” and these facts - along with the imminent return of students to school –make for “the perfect storm.” State Health Officer Dr. Joe Kanter noted that he is seeing absolutely “no signs of slowing” and the surge is still “very much on the upswing.”

Some of the attention-getting facts from Governor Edwards and Dr. Kanter at Friday’s presser:

- Louisiana is seeing 175 daily new cases per 100,000 people—anything over 100 cases (per 100,00) is viewed by the CDC as cause for grave concern.
- We have seen a steady increase in new COVID cases for past 30 days.
- Over 1/3 of parishes are above 10% positivity which is EXTREMELY alarming.
- The number of hospitalized COVID patients has almost quadrupled in the past three weeks and is up to 1008, as of Friday.
- 8% of all ER visits are now attributable to COVID-like symptoms—not all will be diagnosed with COVID but many will. This is higher than July/August 2020 (but still lower than Christmas/New Year).
- There is not a single parish in La with “low” risk of community transmission.
- Currently we are up from a 6.3% positivity rate last week to 8.7% positivity rate. We were last at 8.7% positivity on January 13, which means we are back to where we were six months ago.
- Louisiana, Arkansas, and Missouri are seeing the brunt of this surge. Delta was in greater numbers here earlier.
- The delta variant causes up to 1000 times higher viral load. This likely explains why it is spreading so quickly.
- We are seeing children under age 12 get the virus in higher numbers. Getting the vaccines helps to protect our children—who are not candidates to get the vaccines at this time.
- Nine out of ten people in Louisiana who were hospitalized or whose COVID-related death was reported this week were unvaccinated.
- The state is ordering only about 10% of the vaccine that is available to us.
- The White House has identified Louisiana as a “state of concern.”

COURT THROWS OUT OGB’s 2020 PBM PROCUREMENT—ORDERS “DO OVER”

We saw a **huge development** this week in the ongoing PBM procurement efforts of the Louisiana Office of Group Benefits (OGB). The 19th Judicial District Court issued a ruling that the Agency’s 2020 PBM procurement and contract award to CVS Caremark was unlawful, “arbitrary and capricious.” Key flaws cited by the judge in rendering his decision:

- Technical proposals submitted by the competing vendors were evaluated and scored by OGB’s outside consultant Buck, rather than by OGB Evaluation Team as stated in the RFP. (The RFP stated Buck’s role would be limited to serving in an advisory capacity for the Technical Component and preparing Cost Component data only.) OGB’s Evaluation Team “merely adopted” Buck’s scoring.
- The RFP explicitly required that any **rebate aggregator would** be considered in scoring the Cost Component Section rather than Technical Component Section of the RFP. In actuality, the rebate aggregator was considered in scoring the Technical Component which was an express violation of the RFP. [Changing the rules in the middle of the game]
- OGB failed to maintain a “contract file” and submit it to the Office of State Procurement, in violation of RS 39:1558 (something that Judge Donald Johnson notes OGB also produce in the *Catamaran* case).

The decision states, “*The law is clear, while the State has discretion in the manner in which it scores its proposal, [t]he agency’s discretion must be exercised in a fair and **legal manner** and not arbitrarily.*”

After considering all the evidence, Judge Johnson concluded “considering the State Defendants actions in connection with procurement action were in violation of Louisiana law and the RFP and arbitrary and capricious the proposed award to the Intervenor [CVS] Caremark PCS, LLC is hereby reversed and

cancelled and the Request for Proposal . . . for pharmacy benefit management services is also hereby cancelled, pursuant to RS 39:1677.

So, what is next for the state in fulfilling their obligation to provide pharmacy benefits for a quarter million or so state employees and retirees?

With the 2020 RFP cancelled, OGB is “back to Square One” in their quest to procure a multiyear contract to a PBM. With the Med Impact emergency contract ending 12/31/21, there is not sufficient time to complete the competitive procurement and award a multi-year contract by 1/1/22. As reported last week, OGB has released a new solicitation for offers (SFO) for an emergency PBM until the competitive procurement of a PBM can be arranged, with one of their stated goals being to avoid member and provider confusion and disruption. We will continue to carefully monitor and advocate for independent pharmacies and your patients in selection of the state’s PBM. The previously procurement and contract award recommendation happened under different OGB leadership. The current OGB Chief Executive Officer, Col. [David Couvillon](#), is learning about the nuances of PBMs and attended the Member Forum last week.

NEW MONTHLY OPH COVID VACCINE PARTNER ZOOM CALL STARTING 8/4

On Friday, LIPA, and many - if not all - independent pharmacy vaccine providers, received an invitation to a monthly standing Zoom call scheduled on behalf of Dr. Frank Welch for the first Wednesday of each month from 11:00 a.m. to 12:00 p.m. In “an effort to ensure ongoing and efficient information flow,” LDH’s Immunization Program will be hosting the call each month to “review vaccine updates, ordering, and upcoming changes.” If you did not get the standing appointment and would like to listen join this informational call, e-mail us for the call-in info at vaccines@lipa.org. LIPA staff will be listening to the calls and sharing “need to know” information in upcoming Newsletters.

CHECK THAT PFIZER VACCINE EXPIRATION DATE!

While unpunctured vials of Pfizer vaccine can be kept for up to 45 days between an ordinary freezer and refrigerator, the caveat is that this assumes that date is not beyond the manufacturer’s expiration date (six months from when it is packaged) which can be found on both the vial and box in MM/YY format. This month, several our pharmacies –as recently as this week--have received Pfizer vaccine with an Expiration Date of 07/21, which means the last day it can be used in 7/31/21.

Could you use Pfizer vaccine between now and 7/31 - or do you have Pfizer vaccine expiring 7/31 that you do not expect to be able to use? Let us know (vaccines@lipa.org). It may be possible (no guarantees) to assist in arranging a transfer.

UPTICK IN VACCINES AT LIPA MEMBER PHARMACIES

With the fourth “surge” of the COVID-19 virus in our state, our members who offer COVID-19 vaccines are seeing a corresponding surge in demand for the vaccine. It seems that people had been lulled into a sense of complacency but the recent rise in the number of hospitalizations and deaths-along with back-to-school fast approaching have combined to “get people’s attention” and interest in the vaccine has increased substantially. We have seen several our pharmacies with Facebook pages making announcements that they have vaccine available and the Governor noted during his Friday COVID press conference that vaccines take-up rate has improved. If you have questions, feedback, “lessons learned” or best practices that others may benefit from, please do not hesitate to reach out to LIPA’s Vaccine Team. **We are here to provide support to your COVID administration efforts and advocate for you.**

MEDICAID PHARMACY COST OF DISPENSING SURVEY SCHEDULED FOR AUGUST

LIPA has been advocating for a new Medicaid pharmacy cost of professional dispensing survey to capture your increased costs of doing business that you are seeing. We are happy to see LDH moving forward with conducting a survey. Federal Medicaid regulations are clear that pharmacy reimbursement must take into consideration the cost of dispensing within the state (failure to do so is the reason that the State of Washington’s Medicaid pharmacy reimbursement has been “[unapproved](#)” by CMS).

LDH has engaged Myers & Stauffer to conduct their 2021 Professional Cost of Dispensing Survey **during the month of August**. You may recall that the most recent survey was done by Mercer. We strongly encourage you to participate in the upcoming “stakeholder meeting” on Monday, August 2nd at 3:00 p.m. (accessible by either Internet using *WebEx* or phone) during which LDH and M&S representatives will discuss:

- The overall goals of the survey,
- The scope of the survey,
- The timeline for completion of the survey,
- The role of Myers & Stauffer in the survey process,
- Solicit feedback, and
- Address questions on the overall process.

We cannot over emphasize the importance of this survey in determining the Medicaid pharmacy reimbursement rate. **Please plan to allot enough time to fully capture all your costs when preparing your response.** Louisiana Medicaid mandates that the survey be completed by enrolled pharmacy providers and the “average” is negatively impacted when responders underreport their costs associated with dispensing.

You can join the meeting via the Internet to also view presentation slides **or** via telephone for the audio portion only of the meeting. Note that this is a WebEx (not Zoom) meeting so we suggest you click on the link below before 3:00 p.m. on August 3rd to familiarize yourself with WebEx if you haven’t used it recently and download the application if you need to.

WebEx Presentation with Slides

<https://mslc.webex.com/mslc/j.php?MTID=m83c00c0a8d023dcf9aebde63f4b5899d>

Password: *BMyH4QEtp27*

If you join through a web browser, there will be an option for WebEx to call you for the audio portion of the call or to use computer audio. **Please select this option if you will be attending both online and over the phone.**

Audio Only

If you will be attending by phone only, you can access the conference call line via the information below:

Telephone: 844.740.1564; **Attendee code:** 161 069 0135

Contact Matt Hill with Myers and Stauffer LC at (800) 374-6858 or mhill@mslc.com should you have any questions.

M&S has shared the actual survey with LIPA and we are in the process of reviewing it now, in advance of the August 2nd stakeholder call.

LDH REOPENS COMMENT PERIOD ON MEDICAID PBM (DEADLINE IS JULY 31)

LDH is again soliciting comments regarding Medicaid pharmacy benefits. In a post on their website, they state that they're developing competitive procurements for qualified companies to serve as single benefit managers for our Medicaid non-emergency medical transportation (NEMT) and pharmacy benefit (PBM) programs. Louisiana Medicaid serves more than 1.8 million Louisianans, just over 40% of the state’s population. The NEMT program provides transportation for Medicaid enrollees to and from medical appointments or to fill prescriptions. The PBM is responsible for assuring quality pharmacy services while developing efficiencies in operation, service, and cost.

LDH is committed to transforming its NEMT and PBM programs to provide better care and better health for its members. As part of this goal, LDH seeks input from the public using this [this online form](#). **The last day to provide feedback is Saturday, July 31, 2021.**

LHCC PAYING PROVIDERS A \$25 BONUS FOR COVID VACCINES CONTINUES

Louisiana Healthcare Connections (LHCC)/Evolve Pharmacy Solutions--which has more than a half million Louisiana Medicaid members –is asking LIPA member pharmacies to help identify their patients who have not yet received their COVID-19 vaccine but would do so if **someone they trust** contacted them about receiving it. Community pharmacists who administer a COVID vaccine to a LHCC vaccine-eligible member by the end of July will receive an extra **\$25 bonus payment**, in addition to the standard Medicaid **reimbursement** (\$37.08 COVID vaccine administration fee and an additional \$32.60 for an in-home vaccine) bringing the total reimbursement for in-home vaccines to \$94.68.

Please help get the word out to your Medicaid patients enrolled in LHCC that if they have received at least one COVID-19 vaccine **at any time** are eligible for a \$25 reward loaded directly to their My Health Pay reward card by visiting louisianahealthconnect.com/Get25. Furthermore, they are also eligible to register for the state's vaccine lottery: \$100K weekly drawing [\$100K college scholarship for those under age 18] and grand prize \$1 M drawing to be announced August 13th (shotatamillion.com).

MORE SHOT AT A MILLION WINNERS ANNOUNCED

The second week *Shot at a Million* winners are again from southeast Louisiana: Edwina Jones a 65-year-old from Marrero is the winner of the \$100 K cash prize and Andrew Homan a 14-year-old from Slidell who is entering his freshman year of high school is the winner of a \$100 K college scholarship! Weekly drawings will continue with more winners announced July 30th, August 6th and the grand prize \$1M and 5 \$1K Scholarship announcement on August 13th.

SPOTLIGHT ON LIPA FOUNDING MEMBER RICKY GUIDRY

In recognition of LIPA marking its 20th anniversary this month, LIPA staff has been conducting interviews with some of the LIPA founding members (Ricky Guidry, Andy Soileau, Allen Cassidy, Nolton Causey, Marty McKay, and the late Johnny Letard). We are sharing interviews with all the surviving founders. (You can read our interviews with Nolton (July 9th issue) and Andy (July 16th issue) if you missed them). This week we feature Ricky Guidry who grew up in the Lacassine-Iowa area in Jeff Davis Parish. In high school he knew he wanted to do something in the medical field (physician, chiropractor, or pharmacist) and with the encouragement of Phillip Dugas, the owner of the pharmacy in Iowa, he attended ULM (Northeast at the time, and where he met his wife) from which he graduated in 1984.

He initially worked for the chain pharmacy K&B Drugs store in Lake Charles. He left there after about five years to work for a doctor who knew Sam Walton personally and had leases inside Wal Mart stores to operate pharmacies (prior to Wal Mart corporate buying back all the leases and becoming the juggernaut they are today). Fast forward to 1997 and Phillip Dugas's Iowa pharmacy became available for purchase. Ricky owned and operated the pharmacy until 2014 when he sold it to Fred's. While he no longer owns a pharmacy, he is still very much actively practicing in independent pharmacies, working at Cassidy's Pharmacy in Jennings three days a week and some Fridays/Saturdays at Caraway Pharmacy in Westlake.

Ricky indicated he did a **lot** of research prior to LIPA's founding on other state independent pharmacy associations in existence at the time, to identify best practices that could be replicated. While Georgia proved to be a model for financing the organization, it was important that the association have autonomy and a truly independent voice (Georgia's organization reported to that state's pharmacy association). For the first five or so years, the bulk of LIPA's efforts were spent advocating and seeking policy changes at the federal level. At the time, Congressman Bill Tauzin was chair of the powerful House Energy and Commerce Committee. *"I must have made thirty trips to Washington."* Ricky said. Ultimately, he concluded that LIPA could be much more effective working to effect change at the state rather than federal level [which remains the case today].

The 2019 enactment of ACT 124 (SB 41) is considered by Ricky to be one of LIPA's biggest successes, as it made it possible for the State to begin regulating PBM's and potentially serve as a resource for other state associations looking to do the same. He believes it is important to continuously monitor pharmacy-related legislation that **other** states are passing to see if their strategies could benefit Louisiana as well. Ongoing advocacy and educating state legislators about the complex issues impacting independent pharmacists is essential and he pointed out that having independent pharmacists like Senator Fred Mills and Representative Bernard LeBas serving in the legislature has been a plus. Going forward, he believes some type of prescriptive authority for our pharmacists would be a tremendous help advancing the profession.

In our conversation with Ricky (late July of 2021), he related that he is still displaced from his home which suffered devastating damage when Hurricane Laura struck southwest Louisiana nearly eleven months ago. The windows were "sucked out" of the house and the south wall was badly damaged from the winds that came in from the south. The following month, Hurricane Delta hit from the north, further exacerbating the damage. We were reminded of the challenges that hurricanes present to independent pharmacists throughout the state and the added costs.

In The News:

Dr. Vin Gupta Encourages J&J Vaccine Recipients To Get A Pfizer Or Moderna Booster

[CNBC 07/20/2021](#)

Intensive-care unit and lung doctor Dr. Vin Gupta told CNBC that he's already encouraging patients who received the single-shot [Johnson & Johnson](#) Covid vaccine to get a [Pfizer](#) or [Moderna](#) booster shot amid the [dramatic increase in delta variant cases](#) across the U.S.

Gupta, a professor at the University of Washington's Institute for Health Metrics and Evaluation, told ["The News with Shepard Smith"](#) that "AstraZeneca, when combined with a Pfizer or Moderna booster, is showing tremendous levels of protection against delta, in terms of the antibody levels that are generated in patients."

"I do think that those one-shot J&J's should be given the opportunity, while we complete our clinical trial ... I'm already telling my patients to do it, if they can get access to it."

As COVID Cases Surge In Louisiana, The Inevitable Is Happening: More Breakthrough Infections

[N.O. Advocate 07/21/2021](#)

As COVID-19 cases surge in Louisiana among unvaccinated people, the inevitable is occurring: some vaccinated people are also getting sick.

This has raised concerns that the highly transmissible delta variant, which now accounts for 83% of cases in Louisiana and in neighboring states, is better at slipping past the vaccine's defenses. But according to health experts closely tracking infections, the vaccines remain very effective at what they were created to do: prevent severe illness and death.

"The vaccines were not tested on their ability to prevent infection," said Susan Hassig, an epidemiologist at Tulane University. "What they are tested for -- and are really good at -- is greatly reducing the likelihood of becoming ill and requiring hospitalization and potentially dying."

\$26B Opioid Settlement Reached

[Baton Rouge Business Report 07/21/2021](#)

Three of the largest pharmaceutical distributors and drugmaker Johnson & Johnson today agreed to a \$26 billion settlement with several states, including Louisiana, that will resolve thousands of lawsuits over their roles in the opioid epidemic.

McKesson Corp., AmerisourceBergen Corp. and Cardinal Health Inc., along with drugmaker Johnson & Johnson, have been negotiating the deal for more than two years, and earlier this week an agreement was reported to be near.

Today's announcement from the attorneys general of [Louisiana](#), Tennessee, North Carolina, Pennsylvania, New York, Delaware and Connecticut signifies an important milestone that could clear the way for money to be received by states as soon as early next year, *The Wall Street Journal* [reports](#).