

December 12, 2018

The Honorable Richard J. Leon  
Senior Judge  
U.S. District Court for the District of Columbia  
333 Constitution Avenue N.W.  
Washington D.C. 20001

Dear Judge Leon.

I am writing to register the extreme opposition to the Aetna/CVS merger being considered. I am a pharmacist and owner of a small pharmacy in North Central Kansas. I have been an owner for over 20 years. I have seen the transitions in the pharmacy industry to the point it is today. The situation is almost desperate for the retail pharmacy, as we try to compete and maintain the professional manner in which we try to serve our patients. I believe the situation is a direct result of the unbridled and unregulated growth of the Pharmacy Benefit Manager. If the Aetna/CVS merger is approved, it just furthers the power and control the PBM has over pharmaceutical delivery system, and I believe furthers the closures of pharmacies across this nation.

CVS is one of three PBM's that control over 80% of the prescription volume in the United States. I see the power and abuse that result from this power in dealing with the retail pharmacy trade. We see increasing numbers of prescriptions reimbursed below our acquisition costs. I see increasing demands by the PBM for the patient to use the PBM's own or affiliated mail order pharmacy. I see spiraling drug costs, which the PBM supposedly was designed to control, but has only escalated due to demands for rebates from manufacturers and increased copays by the patient. After all, just look at the profits reported by the PBM's over the last several years, and their position in the fortune 500 and I think it is rather obvious what is happening.

A behemoth has been created that is so large and powerful, that it makes the rules. It has been given the pricing gun, so that anything they want to purchase they can mark it whatever they want to, regardless of the actual costs. It can then charge its customers whatever it wants to charge for there so called services. I really find this a picture contrary to the "Competitive nature" that is needed in our economy to keep a balance and options open for the American consumer.

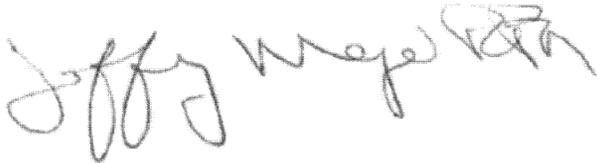
I can speak for the retail pharmacy profession in saying that we are so beaten down, with little to no control over our business practices, that our very existence and future is questionable at best. The ability to maintain a practice is extremely difficult and I see a day, at this rate, that there will be few options, if any, for patients in rural and small community America. I for one am feeling the pressure to close and get out.

The things I am saying have been reported in many news outlets, and the abuses of these large corporations are coming to light more each passing week.

I cannot express with more insistency the damage this merger could and would impress onto the healthcare field. It does not seem a logical thing at all that less competition, which larger more vertically integrated companies, are going to result in lower prices. All I have witnessed is that monopolies or monopolistic like entities result in higher pricing with more restricted choices for the consumer.

Please consider putting this merger at least on hold.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey Mayo". The signature is written in a cursive style with some loops and flourishes.

Jeffrey Mayo R.Ph  
Ferguson Rexall Drug

