

December 11, 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,

My name is Mark Freitas, and I am a member of the Pharmacists Society of the State of New York, representing over 4,000 pharmacists and students of pharmacy in New York State. I am also the owner of Washingtonville Pharmacy, Inc. in Washingtonville, NY. I am writing on behalf of PSSNY and small business pharmacy owners everywhere to express our full opposition to the CVS-Aetna merger. We are greatly encouraged to know you are carefully considering the merger of these two excessively large corporations that together control a disproportionate share of the healthcare marketplace.

I will try to be brief with my argument as to why this merger should not be allowed. I realize the government does not care that this merger will effectively put all independent pharmacies out of business. Actually, we may go out of business regardless due to all the anti-competitive business practices that CVS/Caremark, Express Scripts and Optum are already engaged in unless there are reforms in the PBM industry.

The bottom line is the patient. Patients will be harmed. Hospitalizations will increase, emergency room visits will increase, and patient costs will go up. I know you will hear the exact opposite argument from these large corporations saying they can increase efficiencies, keep costs down and have better patient care. Believe me, independent pharmacies are not driving costs up. We get reimbursed very little, have much better interaction with our patients, open the store after hours for emergencies, we are more accessible, we do a much better job with transitions of care for patients leaving the hospital and the list goes on and on.

Aside from money leaving our local area to benefit shareholders, loss of jobs and tax revenue, when independent pharmacies close for good, patients are the ones that will suffer. Lost is the coordination of care, medicine reconciliation, free delivery for patients (especially the elderly) and access to good quality healthcare professionals that truly make a difference in patient's lives. There are some good retail chain pharmacists out there but their hands are tied with corporate regulations, prescription count quotas, etc. They have no metrics at the store level to show how they truly have impacted patient lives. At corporate, they will come up with fancy power point presentations trying to show how they have improved patient health, saved money for patients, control healthcare costs but in reality, we can poke holes in all their arguments if we have someone that would listen.


Thank you for your consideration of the information provided here. On behalf of the small business pharmacies who are at the effect of CVS' anticompetitive business practices, we hope you will rule against the merger and protect the relationship between patients and their community pharmacies.

Respectfully,

A handwritten signature in black ink that reads "Mark Freitas". The signature is written in a cursive, flowing style.

Mark Freitas, President

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