

Kenneth Kuenzel, Pharm D
Pharmacist-in-Charge—Hyde Pharmacy, Inc.



December 7, 2018

Peter Muchetti
Chief—Healthcare & Consumer Products Section of the Antitrust Division
United States Department of Justice
450 Fifth St. NW, Suite 4100
Washington, DC 20530

Dear Mr. Muchetti,

I write to you today to express my strong opposition to the CVS Health-Aetna merger. As a pharmacist, I have witnessed first hand the abuses that CVS Health has perpetrated in the last 2 decades. They already have too much power in the pharmacy sector as it stands, and their anti-competitive practices have caused a lot of problems within independent pharmacy.

CVS Health currently owns a large national chain of pharmacies, a pharmacy mail order operation, and a pharmacy benefit manager (CVS/Caremark). Several years ago, when CVS and Caremark merged, these two corporations vowed to not abuse the power that this merger gave them. Caremark processes pharmacy claims for many insurance companies; probably 70% or more of the claims we process for our patients are processed by Caremark. We have had our patients called by people working for Caremark trying to get them to either get their prescriptions from their mail order facility or go to a CVS Pharmacy.

Another issue we have encountered is Caremark paying claims at CVS Pharmacies for more money than they pay independent pharmacies. This issue came up early in 2018 when we noticed a drastic reduction in our reimbursement on certain insurance plans operating in Arkansas. Many of these claims were paying at a rate less than what we paid for the medication. All of these plans were being administered by CVS/Caremark. Further investigation by the Arkansas Pharmacist Association uncovered that while they were paying independent pharmacies at this low rate, they were paying themselves at their CVS Pharmacies, on average, \$63.00 more per prescription. This was on 260 medications, including the top 200 prescribed drugs. Only after a historic uprising of pharmacists in our state, did we get this corrected. All of this was well documented in the media. I could go on and on about things CVS Health does that is anticompetitive.

The problem began when CVS was allowed to merge with Caremark in 2007. This merger should have never been allowed. I'm afraid the merger of CVS Health and Aetna will have more far reaching deleterious effects on pharmacy and the healthcare marketplace as a whole. I implore you to do all that is in your power to stop this merger from taking place.

Sincerely,

A handwritten signature in black ink, appearing to read "Kenneth Kuenzel Pharm D". The signature is written in a cursive style with some loops and flourishes.

Kenneth Kuenzel, Pharm D