



**NYCPS** New York City Pharmacists Society  
An Affiliate of the Pharmacists Society of the State of New York

## NEW YORK CITY PHARMACISTS SOCIETY

The Voice of Pharmacy in the Big Apple

DECEMBER 2011

www.NYCPS.org



### PRESIDENT'S MESSAGE

## “AMMO VICTORY”

On December 12, Governor Cuomo signed the Anti-Mandatory-Mail-Order (AMMO) bill that passed both the Senate and Assembly by near unanimous votes in the late spring of this year. NYCPS initiated “Operation AMMO” as a state-wide grass-roots campaign in October of 2010, giving voice to the public’s dissatisfaction with Mandatory Mail Order Rx Programs imposed on them by PBMs. This legislation will give many New Yorkers the right to choose between community pharmacy and mail order. It does not eliminate mail order, nor does it eliminate all mandatory mail order Rx programs. It simply represents a victory for the citizens of New York, and a significant triumph for independent pharmacy that is a “first step” in its quest to address PBM abuses of our profession/industry. We must put an end to the PBMs’ ability to restrict the public’s access to proper pharmacy services in local communities.

This victory came in the face of potent opposition by the PBM industry’s spreading misinformation which {they felt} if repeated often enough, would be taken as gospel. We took every opportunity in the media to challenge so-called assumptions like “mail order is always less expensive”, trumpeted repeatedly by the PBMs. The Federal Trade Commission (FTC) issued an opinion letter opposing our legislation, suggesting that community pharmacy’s competition with the PBMs would cause price increases. I believe that statement to be absurd, violating what is known by every Economics 101 student; that competition lowers prices. Yet, many newspapers, the New York Times, Newsday, the New York Daily News, the Albany Times-Union among them, used that letter as the basis for writing editorials recommending that the governor veto our legislation. It is a tribute to the wisdom of Governor Cuomo and

his staff that they were able to look past those editorials, to conclude that this legislation is good for New York State and its citizens. Our heartfelt thanks goes to the governor for signing this bill into law.

As I mentioned before, this victory is but a “first step”, the momentum from which we need to pursue other legislation to ensure greater access for the public to the services of their community pharmacists. Our efforts must continue to be focused on the goal(s) that we seek. My recommendation for the first goal is legislation for PBM Transparency. More owners of independent pharmacies are needed to participate in NYCPS and PSSNY efforts. The AMMO victory was accomplished with only a few individuals. You can be assured that the PBMs will be better prepared for the next battle(s) than they were for this one. I consider us to be lucky (as well as skillful) in getting this legislation passed by the legislature and signed into law WITHIN ONLY ONE YEAR!! Consider this to my personal plea to all independent pharmacy owners to get involved, by making your voices heard by NYCPS leadership; by contributing to the PAC (Political Action Committee); by participating in the March 7th Independent Owners’ Lobby Day in Albany (details to follow); and in general, by “being there” for your pharmacy organizations.

In the meantime, we should celebrate what I consider to be the most significant victory for community pharmacy in a really long time! I’d like to recognize and thank some of the people throughout the state that provided help with our cause. They were the “grass-roots” that got things done. NYCPS Chairman Charles Catalano worked side-by-side with me every step of the way, providing great insight and advice. We were so fortunate to have the expertise of both the NYCPS lobby-

ist, Tracy Tress, and PSSNY lobbyist, Elizabeth Lasky. Both of these consummate professionals and their staffs deserve the gratitude of all pharmacists. Their experience in dealing with state government officials and staff was indispensable to Charles and me. The prestigious sponsors of our legislation, Senator George Maziarz and Assembly Member Carl Heastie, were superb in their enthusiastic support of the bill. Our public relations person, Bob Liff, deserves accolades for the work done with various media outlets, enabling us to get our message out to the public and to legislators. PSSNY executive director, Craig Burrige gave of himself unselfishly, participating in conference calls and press conferences. Leaders of the various affiliate pharmacy organizations were in this fight from the beginning. They include PAWNY (Western NY), LIPS (Long Island), WRSP (Westchester/Rockland), and all five of our ethnic affiliates, (I.P.S., K.A.P.A., P.A.P.A., I.A.P.S. and B.A.P.A.). There were other pharmacy owners and pharmacists scattered throughout the state who worked with us, like Vinny Chiffy from Utica, who provided invaluable data that we used to counter false PBM statements. I also thank the wholesalers (ABC-Bellco, Cardinal, HD Smith, Kinray, McKesson, RDC) and their representatives, who participated by graciously disseminating information regarding the AMMO legislation. They were the vehicle we used to communicate with all pharmacy owners, and they deserve our support and appreciation. I apologize to anyone whom I may have left out.

I hope everyone who reads this realizes that it requires dedication and persistence of a “team” to produce positive results. The people and organizations named in the previous paragraph have my admiration and appreciation. I hope they have yours. They deserve it. I call upon any of you who are not currently members to take the steps to join our “team”. By working together, we can get much done.

**Ray Macioci**  
President

The New York City Pharmacists Society  
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ARE YOU A MEMBER of NYCPS and PSSNY? If not why not? With the changes in healthcare and the challenges we as a profession face how can you go it alone? At this critical time in the pharmacy profession, we need all pharmacists and pharmacy owners to join the NEW YORK CITY PHARMACISTS SOCIETY (NYCPS) & the PHARMACISTS SOCIETY OF THE STATE OF NEW YORK (PSSNY). See the application below for the details.

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 111 Broadway, Suite 2002, New York, NY 10006



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