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OKLAHOMA INSURANCE DEPARTMENT
PRESS RELEASE

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For Immediate Release:
April 3, 2023

Mulready Files Action Against CVS/Caremark

OKLAHOMA CITY – Oklahoma Insurance Commissioner Glen Mulready announced today the filing of an administrative action against CVS/Caremark that outlines alleged violations of the Patient’s Right to Pharmacy Choice Act. The filing targets the practice of “steering patients” to CVS pharmacies and prescription mail-order services and seeks to censure, suspend, place on probation or revoke the Pharmacy Benefit Manager (PBM) license of CVS/Caremark. In addition, the Oklahoma Insurance Department (Department) will seek restitution and/or levy fines for each alleged violation.

“I am convinced that CVS/Caremark does not want to follow Oklahoma law and wants to find every opportunity to skirt their responsibility,” Mulready said. “I am extremely frustrated with the misinformation and confusion presented to Oklahoma consumers.”

The Department sent a letter in February providing notice to CVS/Caremark that administrative action would be taken if they did not immediately correct their communication that went out to consumers related to the CVS/Caremark Maintenance Choice Program.

In response to the Department’s February formal notice, CVS/Caremark took corrective action but has since communicated to their large client employers that filling 90-day prescriptions is now prohibited. CVS/Caremark has used untruthful and harmful statements to explain the reasoning behind this impactful business decision that continues to restrict pharmacy choice conditions.

“I expect PBM licensees to follow the law, not operate on the fringes of regulatory compliance,” Mulready said. “This is especially egregious because this is the first time that any PBM previously sanctioned by the Department has publicly committed the same violation a second time. This is unacceptable, and we will hold them accountable.”

The administrative hearing is scheduled for May 25, 2023. [Click here to view the Notice of Hearing and Order to Show Cause.](#)

For more insurance information, please contact the Oklahoma Insurance Department at 1-800-522-0071 or visit our website at www.oid.ok.gov.

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