

JUN 21 2016

Larry E. Lutz, M.Ed.

Tuesday, June 14, 2016

Prescription Benefit Reconsideration Department
Caremark
P.O. Box 52084
Phoenix, AZ 85072-2084

Gentlemen:

I so thank you for your response to a denial of a request for reconsideration *that I never made*. I will give the assumption of the ability to read, so it is very apparent that you never read my complaint about your services — or lack thereof. Your denial of a request that was never made provides further proof of my original complaint which is that Caremark's actions, and your denial, more than amply prove that Caremark is either unable to provide quality customer service to those of us who are retired or Caremark chooses to provide no such service. In either case, I am appealing to the Employees' Retirement System of Texas and to the Texas Legislature to ensure that Caremark is removed from its current responsibility with regard to employees and retirees of the State of Texas and never, ever has any such responsibility ever again.

Specifically, my complaints against Caremark and its total lack of customer service are:

- When a prescription was presented, inappropriately, for payment by Caremark, Caremark's response was, "PATIENT IS MEDICARE INELIGIBLE," despite the fact that I am clearly on Medicare. That response was misleading and confusing to everyone concerned. (Yet another copy of this attached for your convenience.)
- When the wonderful pharmacist and pharmacy technician spent over two days trying to get information from Caremark, at no time did Caremark provide information in an understandable way to resolve the issue.
- When I spoke with Caremark staff, I was told, "Oh, well, patient is Medicare ineligible really means that the medication cannot be filled under Medicare Part D." I've dealt with politics all my life, and in my worst experiences of political double-talk, it has never been as extreme as what Caremark produces.
- If an insured who was less persistent and capable as I was involved in this, Caremark's actions could well have resulted in the person simply giving up and doing without diabetic supplies. In that case, Caremark could well be the direct and proximate cause of the person's death.

Larry E. Lutz, M.Ed.

June 6, 2016

Emily Johnson, Project Manager
Sunset Advisory Commission
P.O. Box 13066
Austin, TX 78711

Ms. Johnson:

As a Texas Department of Family and Protective Services retiree, I understand how important your review of the Employee Retirement System of Texas is. As a person of advancing years, I also understand how senior citizens, often without energy, resources and even cognitive ability get frustrated, lost in the system, and go without needed medical supplies. I would like to offer you information about my recent experience.

First, let me say that I spent most of the day on hold trying to talk with an ERS representative most of the day last Thursday and Friday and today, Monday, June 6, 2016. During that time, my phone connection with ERS dropped multiple times, forcing me to call back, get back in the queue, only to be dropped again. I know that ERS, like most State agencies is woefully understaffed. At DFPS, we suffered with that situation constantly. However, without access to problem resolution, how is a senior citizen to get needed information and diabetes supplies.

I receive my health benefits through the Kelsey Advantage Plan, and overall, I would like to say that I receive some of the finest health care that I have received in my entire life through them. Their service and physicians is outstanding. Unfortunately, my physician, who is the finest PCP that I have ever had, made one simple mistake, one that should have been caught and remedied very quickly. Instead it, equally as quickly, spiraled out of control.

Dr. Christine Le, OD of Kelsey Seybold send a prescription for diabetes medication and equipment (glucometer and test strips) to Randall's Pharmacy, 5586 Wesleyan, Houston, TX 77005 on Thursday, June 2, 2016 in the morning. I have only been on Medicare for a short period of time and did not fully understand the intricacies of what is covered under Part B and Part D, and how the filing for those differs. I had purposefully switched my pharmacy to them from the Walgreen's Pharmacy, 3745 Westheimer Rd., Houston, TX 77027 because that pharmacy routinely tried to force me into a brand name medication when Dr. Le prescribed a generic, made repeated mistakes on label instruction and

was generally not an acceptable pharmacy. The Kelsey Seybold pharmacy at 1111 Augusta, Houston, Texas 77057 is very inconvenient for me to get to.)

In any case, my pharmacist and staff at Randall's tried valiantly **all day on both Thursday and Friday** to get my prescription filled. They are truly wonderful with a firm belief in customer service; I would especially like to commend the pharmacist who is always so totally helpful. The insulin pens were covered, with some difficulty. SilverScript/Caremark, the prescription drug benefits manager, instead of telling the pharmacy that the glucometer and test strips had to be billed under health benefits, and not under prescription benefits, simply told the pharmacy "PATIENT IS MEDICARE INELIGIBLE." (Copy of their printout is enclosed.) **Everything would have been cleared up immediately had SilverScript/Caremark** provided good information to the pharmacy.

When I called SilverScript, she explained, after a 45-minute wait on hold, that they did not cover the glucometer and test strips. She also told me that "PATIENT IS INELIGIBLE" really means that "these supplies are ineligible for coverage under Medicare Part D." I have certainly seen my share of bureaucratic double-talk in my life, but this one is certainly the farthest stretch that I've ever heard.

One of the things that I'd like to know from ERS is how to file a formal complaint against SilverScript/Caremark. I have, as I said, tried to call them for two and one-half days now, as well as sending them two emails through their system; I simply cannot get through to talk with them. Another senior citizen without the skills and resources that I have would have given up. They would have paid hundreds of dollars for covered diabetes supplies or simply not acquired them. We cannot let that happen because of SilverScript/Caremark's lack of customer service.

Today, I finally got through to Kelsey Advantage, and they are taking care of the matter, no thanks to ERS and SilverScript/Caremark.

I hope that this information will assist the Sunset Commission in making its recommendations to the Legislature and other interested individuals.

Sincerely,



Larry E. Lutz

cc: Employees Retirement System of Texas, 200 E. 18th St., Austin, TX 78701
KelseyCare Advantage, 11511 Shadow Creek Parkway, Pearland, TX 77584
SilverScript Insurance Company, P.O. Box 52067, Phoenix, AZ 85072-8067
Customer Relations, Walgreen Company, 1419 Lake Cook Rd., MS #L390, Deerfield, Illinois 60015
Customer Support Center, Safeway, Inc., M.S. 10501, P.O. Box 29093, Phoenix, AZ 85038