

Anthem Blue Cross and Blue Shield
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October 26, 2016

VIA U.S. MAIL AND EMAIL

Ms. Martha Mobley, Legal Coordinator
NH Insurance Department
21 South Street, Suite 14
Concord NH 03301

Re: INS 2704, Prescription Prices for Pharmacists and Pharmacies Final Proposal

Dear Ms. Mobley,

Anthem previously provided brief comment at last week's hearing regarding the above-entitled matter. We appreciate the opportunity to submit post-hearing comment as well. Very briefly, and as indicated at hearing, Anthem strongly supports removal of paragraphs (c) and (d) under Ins 2704.03 in the Final Proposal.

As noted in previous written comment and at hearing, paragraphs (c) and (d) under Ins 2704.03 are pretty much taken from NH RSA-A:3 General Provisions, a section of New Hampshire law relating to program operations of the NH Department of Health and Human Services. Anthem does not believe that the method of determining "usual and customary" outlined for use in the public contracting milieu would be workable if simply inserted into regulations pertaining to the commercial setting.

Should the Department wish to pursue a specific definition of "usual and customary", it should do so in the legislative setting where a full discussion of an appropriate definition can be considered and better accommodated.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paula T. Rogers".

Paula T. Rogers
Government Relations, Dir.
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PR/ps