

Publications

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Missouri Attorney General Files Suit Against Pharmacy Benefit Managers and Drug Manufacturers for Alleged Insulin Pricing Scheme

Key Takeaways

- The Missouri AG filed suit in St. Louis County Circuit Court against several PBMs and drug manufacturers, alleging they conspired to manipulate Missouri's health care market and unlawfully drive up insulin prices.
- The AG's office seeks restitution and damages for affected consumers, injunctive relief to halt the alleged practices and a finding of unjust enrichment by the Defendants.

Missouri Attorney General Catherine Hanaway recently filed suit against a number of Pharmacy Benefit Manager (PBM) companies and drug manufacturers (collectively, the Defendants) doing business in Missouri. According to the Missouri Attorney General's (AG) office, the Defendants have allegedly manipulated Missouri's health care markets, resulting in a significant increase in the price of insulin medication.

The Missouri AG's lawsuit, filed in St. Louis County Circuit Court, alleges that the Defendants named in the lawsuit engaged in a conspiracy and violated Section 301.210 RSMo and the Missouri Merchandising Practices Act (MMPA), which prohibits deceptive and unfair business practices in Missouri.

The Missouri AG's lawsuit requests that the Court take the following actions to protect Missouri consumers:

- Require the Defendants to pay all restitution, damages and other relief that may be owed to Missouri consumers affected by the Defendants' alleged unlawful acts and practices.
- Grant injunctive relief and permanently enjoin the Defendants from engaging in the alleged unfair and deceptive acts and practices.
- Issue an order determining the Defendants have been unjustly enriched by violating the MMPA and Missouri common law by allegedly conspiring to commit unlawful acts and deceptive and unfair practices against Missouri consumers.

Related People

- Steven L. Imber
- Justin T. Liby
- Jennifer L. Osborn
- Zachary R. Dyer

Related Capabilities

- Insurance
- Third Party Administrator (TPA) Licensing & Compliance Services
- Pharmacy
- Health Care

For More Information on Our PBM and TPA Team

Polsinelli's PBM and TPA team provides a number of services to PBMs and TPAs including licensing, regulatory and compliance services, assistance with audits, government examinations and investigations, drafting administrative services agreements and a myriad of other services. Our PBM and TPA team includes former state insurance regulators and former in-house counsel for TPAs, which provide our PBM and TPA clients with significant experience to help navigate complex regulatory challenges efficiently.

By leveraging its extensive experience representing PBMs and TPAs, our PBM and TPA team helps clients avoid the learning curve and related cost implications that can be experienced by working with companies or attorneys less familiar with the regulatory and compliance needs of PBMs and TPAs.

For questions regarding this e-alert or other PBM or TPA regulatory and compliance matters, please contact one of the authors, a member of Polsinelli's PBM and TPA team or your Polsinelli attorney.