

**Dragon, Karen E. (CDC/NIOSH/EID)**

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**From:** Madison Ave. Pharmacy [madisonrx@verizon.net]  
**Sent:** Thursday, March 03, 2011 5:05 PM  
**To:** NIOSH Docket Office (CDC)  
**Subject:** 226 - Implementation of the James Zadroga 9/11 Health and Compensation Act of 2010 (Pub. L 111-347)  
**Attachments:** Madison Avenue Pharmacy Testimony for Zadroga Bill.docx

Attached is a copy of what I spoke about at the meeting on March 3, 2011

Please feel free to reprint.

**M A R C B R A N D E L L R . P H .**

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Testimony for the Zadroga 9/11 Health and  
Compensation Act

March 3<sup>nd</sup> 2011

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March 3<sup>rd</sup> 2011

I would like to thank Representatives Carolyn Maloney (D-NY), Jerold Nadler(D-NY) and Peter King (R-NY) for arranging this hearing and giving me the opportunity to speak before it.

My name is Marc Brandell; I am the Supervising Pharmacist of Madison Avenue Pharmacy. I am here today to speak to you about the New York City / Mount Sinai Hospital Responder Patients and how the Zadroga 9/11 Health and Compensation Act may affect them.

Madison Avenue Pharmacy is one of two independent pharmacies that currently fill prescriptions for the World Trade Center Responders that are seen at The Mount Sinai World Trade Center Treatment and Monitoring Program. We have been serving this unique population since 2003. In fact, at that time it was

called the Health for Hero's program and was solely funded by Bear Sterns, we were the only pharmacy filling prescriptions for the World Trade Center Responders at Mount Sinai.

When we first started supporting this program, we filled approximately 10 prescriptions a month. As the program has grown over the years, we now fill over 3,000 prescriptions per month. In fact, we have filled prescriptions for over twenty five percent of the 16,000 responders undergoing treatment. This is an impressive number considering that these patients have the option of filling their prescriptions with us or a local retail chain that has over 250 locations in the New York City vicinity.

Madison Avenue Pharmacy is located 1 block from Mount Sinai Medical Center. This close proximity had forged a strong relationship between our Pharmacy and the Mount Sinai Medical Center for nearly 11 years prior to the 9/11 tragedy. This relationship was built on our outstanding service, our knowledge and commitment to the patients and other Health Care Providers.

When the responders study started in 2003, and the hospital needed a pharmacy to fill prescriptions, we were the hospital's first choice.

As a member of the community, we felt supporting this important effort was our obligation and, we were only too happy to help. So, after seeing their doctor at the hospital, patients from the study would literally walk across the street to our pharmacy to fill their prescriptions.

As the program expanded over the years, so have our services.

Now:

- If a patient can't make their appointment to see the doctor, we pick up the prescriptions from the hospital and fill them.
- If a patient is unable to get to the pharmacy to pick up their prescriptions, we mail them directly to the patient's home. We do not charge for this service and currently mail over 50 packages a day.

We run a 100% transparent Pharmacy Benefit Administrator, let me reiterate a 100% transparent Pharmacy Benefit Administrator, to electronically adjudicate all prescription claims that are filled for the Mount Sinai World Trade Center Treatment and Monitoring Program.

The administrator we have contracted to process these prescription claims has the abilities to meet and exceed the pharmacy processing and reporting requirements that are outlined within the Zadroga Act of 2010(Public Law 111-347). This includes the transmission of data to a data center in any format that would be required.

When the program was developed, it was designed to study the effects of the toxic dust on the responders. As a result, medication compliance became critical to the findings of the study. This prompted us to start a program where we now call the patients to remind them to refill their prescriptions.

Just to sum it up for you again, along with our standard pharmacy services, Madison Avenue Pharmacy:

- Picks up prescriptions from the hospital.
- Calls patients to remind them to refill their prescriptions.
- Mails out prescriptions to patients who are unable to pick them up, and
- Runs a 100% transparent Pharmacy Benefit Administrator that has the ability to meet challenges of the changing market.

And, we do all this for a re-imbusement rate that is less than that of the New York State Medicaid re-imbusement rate.

Understanding the needs of these patients through constant and open communications, coordinating and meeting with Mount Sinai Medical Center staff, picking up and mailing prescriptions as well as other pharmacy services such as respiratory aids, home health aides and surgical supplies, has resulted in a level of care and service that these patients have come to rely on and frankly, one that they deserve.

The James Zadroga 9/11 Health and Compensation Act of 2010 requires a competitive bidding process in order for a pharmacy to secure a Pharmacy Services Contract. While we understand the bid process is a necessary tool, we are very concerned that a small independent pharmacy such as Madison Avenue Pharmacy does not have the national experience necessary to bid.

With all the services we provide we have proven that we can compete with, and surpass, nationally recognized Pharmacy Benefit Managers such as Medco,

Express Scripts and Caremark. We feel strongly that excluding us from the Pharmacy Service Contract would have a negative and unnecessary impact on these patients.

With the passage of this bill into law, these patients may lose their relationship with Madison Avenue Pharmacy. Instead of continuing to be serviced by a pharmacy these patients know and trust, they will be subjected to an impersonal mail order telephone Customer Service Representative who is employed by an uncaring Pharmacy Benefit Manager that cares more about Wealth Care than Healthcare.

In closing we ask that you give the small local independent pharmacies that have already proven themselves to this community, the opportunity to continue to serve its patients. We have and will continue to support and care for them in a way that nobody else can or will. Thank you.