

If you are a health plan that paid for generic prescription drugs purchased at CVS Pharmacy, a class action lawsuit could affect your rights.

A CLASS ACTION LAWSUIT is pending in the U.S. District Court for the District of Rhode Island (the “Court”). The plaintiffs in the lawsuit, Sheet Metal Workers Local No. 20 Welfare and Benefit Fund, Indiana Carpenters Welfare Fund, and Plumbers Welfare Fund, Local 130, U.A., on behalf of themselves and all others similarly situated (“Class Plaintiffs”), claim that Defendant, CVS Pharmacy, Inc. (“CVS”), violated federal and state laws by, among other things, failing to report its Health Savings Pass (“HSP”) membership prices for generic drugs as its “Usual and Customary” (“U&C”) prices to certain pharmacy benefit managers (“PBMs”), including Defendant CaremarkPCS Health, L.L.C. (“Caremark”), which allegedly conspired with CVS. Class Plaintiffs contend that they were overcharged for the generic drugs in the HSP program as a result of Defendants’ actions. Defendants have denied any wrongdoing.

WHO’S INCLUDED IN THE CLASS(ES)?

Generally, all non-governmental health plans that, at any point between November 2008 and February 1, 2016 (the “Class Period”) used Caremark, Express Scripts, Medco, OptumRx, or MedImpact (or any of their predecessors) as their PBM and reimbursed that PBM for generic drug purchases from CVS based on a formula that contained U&C prices. **You are not a class member if you: (1) never used any of these five PBMs during the Class Period; (2) are a governmental payer; (3) served on Caremark’s Client Advisory Committee; (4) have a corporate/affiliate relationship with one of the five PBMs; or (5) used OptumRX after January 29, 2015 (and did not use any of the five PBMs earlier in the Class Period).** The complete class definitions are available in the LONG-FORM NOTICE on the website www.CVSHSPClassAction.com or by contacting the Notice Administrator.

YOUR RIGHTS AND OPTIONS

DO NOTHING: By doing nothing, you keep the possibility of getting money or benefits that may come from a trial or a settlement. But you give up any rights to sue the Defendants separately about the same legal claims in this lawsuit.

ASK TO BE EXCLUDED: If you are a member of the Class(es), you have the right to exclude yourself (to opt out) from the Class(es) no later than **January 9, 2024**. If you ask to be excluded and money or benefits are later awarded in this class action lawsuit, you will not share in those. But you would keep any rights to sue the Defendants separately about the claims in this lawsuit. Details on how to request exclusion are at www.CVSHSPClassAction.com.

These dates may be amended by Court Order. Please check the website noted below for updated information.

FOR MORE INFORMATION

Visit www.CVSHSPClassAction.com

Call 1-877-933-2895