



# MISSISSIPPI STATE MEDICAL ASSOCIATION

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September 26, 2018

Mr. William Melofchik  
Legislative Director  
National Council of Insurance Legislators  
2317 Route 34, Suite 2B  
Manasquan, New Jersey 08736  
Sent Via Email to [wmelofchik@Ncoil.org](mailto:wmelofchik@Ncoil.org)

Dear Mr. Melofchik:

On behalf of more than 5,000 physicians and medical students of the Mississippi State Medical Association, we are writing you today to register our strong opposition to the National Council of Insurance Legislators (NCOIL) "model bill" on physician dispensing. We are particularly concerned with the provision that limits the physician's dispensing authority. The proposal interferes with the physician-patient relationship when it suggests that physicians can only dispense medication within seven days of a worker injury and then only for a single refill. There is no clinical basis for such a rule.

Our Mississippi physicians discussed the proposal with our colleagues across the country at the recent meeting of the American Medical Association (AMA). The AMA adopted the position specifically targeted at this proposal by NCOIL and the broader application of this concept.

**We unequivocally support the physician's right to dispense drugs and devices when, in the judgement of the physician, it is in the best interest of the patient and consistent with ethical guidelines. Likewise, we oppose legislative and regulatory efforts that conflict with patient access to physician-dispensed drugs and devices.**

We would also note that the subcommittee which drafted the model bill did not consult physicians or patients leaving the decision up to a representative of the Workers' Compensation Research Institute and a spokesman for Pharmacy Benefit Managers (PBMs) which stand to benefit economically if physicians are not allowed to dispense medicines. This decision is shortsighted and is not based on any clinical data. It will not improve outcomes; yet, it will interfere with the physician's clinical judgement, inconvenience patients and increase profits to the PBM. We urge you to vote against this measure and other "model" legislation that is not evidence-based and patient-centered.

Sincerely,

Michael Mansour, MD  
MSMA President 2018-2019