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Proven Health Care Cost Reduction Through Strength in Numbers

SUPREME COURT DECISION ON *MULREADY* v. *PCMA* Good News for ERISA Plans?



In June of this year, the U.S. Supreme Court let stand a federal court ruling in *Mulready v. Pharmaceutical Care Management Association (PCMA)* that state regulation of pharmacy benefit managers is prohibited under the Employee Retirement Income Security Act (ERISA). The decision dealt a blow to ongoing efforts by state governments to interfere in self-insured and other ERISA protected health plans.

However, this was not a decisive win for ERISA plans.

First, some background. The 2023 *Mulready v. PCMA* case challenged the state of Oklahoma's move to impose state regulations on health plans formulated under the longstanding ERISA. Ultimately, the Tenth Circuit Court of Appeal ruled that certain provisions of

Oklahoma's pharmacy benefit manager (PBM) law intruded on ERISA plans' ability to structure their networks and administer and design plans. Oklahoma appealed that ruling, but the Supreme Court decided to abide by the Solicitor General's recommendation and not hear the appeal, allowing the *Mulready* decision to prevail.

Despite this, litigation over state ability to regulate PBMs is far from over. While the benefits community generally views the Supreme Court's refusal as bolstering ERISA's broad preemption authority, the *Mulready* decision has troubling limitations. The Tenth Circuit based its determination on a narrow exception stated in a 2020 case in which the Supreme Court held that state laws impacting cost, as opposed to plan design, are not forestalled by ERISA.

The *Mulready* decision found that the prohibitions in the Oklahoma law impacted key aspects of plan design, such as inclusion of preferred and specialty pharmacy networks and mail order pharmacy options which created a prohibited connection to an ERISA plan.

The narrow finding has left room for states to maneuver. And though ERISA had long preempted state control of PBMs, the regulation landscape has changed in recent years. Because Congress has not acted on a federal level, states have moved to fill the vacuum. All 50 states have now enacted laws that allow some state regulation of PBMs.

The concern for health plan advocates is that state interference brings higher costs, diminished benefit quality, and a greater

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Tapping the Benefits of the PHC-Delta Dental Partnership

Here's something most Americans know: quality dental coverage makes a difference. It makes dental care more cost-effective and accessible, which in turn promotes better oral health and peace of mind. Delta Dental provides this in spades.

Delta Dental is the largest dental network nationwide, allowing members access to an extensive network of high-quality dentists for greater convenience and reduced out-of-pocket costs. They prioritize prevention with 100% coverage for preventive and diagnostic services and offer significant discounts through their PPO and Premier networks. Additionally, they provide state-based account management, provider relations, and customer service for personalized support.

The Delta Dental and PHC relationship is symbiotic: they are both driven by a desire to improve access to care and lower healthcare costs. PHC's Master Agreement with Delta Dental, now in its third year, has saved participating plans \$60 million through more

competitive, pre-negotiated pricing and industry-best benefits and services than they could achieve on their own. As with other PHC programs, the tiered pricing structure offers additional opportunities for lower costs and higher quality; the more plans that participate, the lower the price. It also offers streamlined contracting, implementation, and reporting. According to Albert Fogle, Regional Sales Manager at Delta Dental, the collaboration "allows both organizations to leverage collective purchasing power while maintaining flexibility for each plan's unique needs."

Fogle details the advantages of using Delta Dental through the PHC Master Agreement:

- **Preferred Pricing** – Access to the Coalition's negotiated administrative fees and network discounts (average discount is over 20% off billed charges).
- **Value-Added Services** – Teledentistry, enhanced cleanings, cutting edge ADA dental services, additional reporting, analytics, and

network recruitment efforts exclusive to participating PHC-member plans.

- **Unified Approach** – Alignment with other Coalition initiatives, wellness programs, and member education campaigns.
- **Administrative Efficiency** – Simplified renewals, performance reviews, and plan management through the Coalition framework.

Fortunately, participating Coalition member groups with dental plans can access the PHC-Delta Dental Master Agreement on their next renewal or another mutually agreed-upon effective date. Delta Dental will work closely with each plan to ensure a smooth transition, maintain existing provider relationships, and deliver access to the enhanced benefits of the PHC partnership.

Contact the PHC to learn more or to discuss joining the PHC-Delta Dental Master Agreement: 702-460-4134 or info@phcoalition.org.

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SUPREME COURT DECISION ON *MULREADY* v. *PCMA* Good News for ERISA Plans?

administrative burden. Regulation could also expand to include restrictions on provisions such as mental health services and pension plans.

The good news is that, although the *Mulready* decision only applies to six states within the Tenth Circuit's jurisdiction, it will act as a highly persuasive authority in future court

challenges. Ideally, the Supreme Court would take up the case and align with the Solicitor General's conclusion that Oklahoma was forestalled by ERISA, thereby resolving the issue nationwide. This would prevent continued litigation and the creation of contradicting laws across the nation, something that will create administrative challenges for plans and their TPAs. Eventually,

the Supreme Court or Congress will have to address the issue.

The Pacific Health Coalition has and will continue to lead efforts to lobby against proposed legislation that would adversely impact self-insured plans. Despite the latitude left by the federal government, the PHC remains committed to protecting ERISA from state encroachment on behalf of our member plans. □

WE'RE GROWING!

New CHCs Bring High-Quality, Affordable Healthcare to Eastern Washington

The PHC's Coalition Health Centers (CHC) program is officially five clinics strong. Low-cost, high-quality primary, acute and preventive health services are now available in the brand-new locations in Washington state: the Tri-Cities area and Spokane.

Entirely dedicated to Coalition participating member groups, the Kennewick and Spokane CHCs offer services for urgent medical needs, chronic conditions, and preventative care. Onsite medication dispensing, labs, and on-call services are available to plan participants as well as annual screenings, adult and pediatric well-care, and vaccinations.

Like the Alaska CHCs, both Eastern Washington clinics offer same day appointments, minimal wait times, and after-hours care. The clinics are staffed by licensed physicians, physician assistants and other health care providers and expertly managed by Marathon Health.

The PHC is thrilled to have expanded the CHC program, one of our most popular and well-utilized services, into Washington state. As always, there is no

per-member access fee, and participants may use all CHCs in their respective states.

Learn more about the CHC program:

Website: <https://phcoalition.org/programs/coalition-health-centers/>

Email: info@phcoalition.org

Call: 702.460.4134

- **Spokane (Now open!)**
201 W. North River Drive,
Suite 520
Spokane, WA 99201
- **Tri-Cities (Now open!)**
6816 W. Rio Grande Avenue,
Suite A
Kennewick, WA 99336
- **Anchorage**
701 East Tudor Road,
Suite 120,
Anchorage, AK
907.264.1370
- **Fairbanks**
570 Riverstone Way,
Unit 3
Fairbanks, AK
907.450.3300
- **Mat-Su**
1700 East Bogard Road,
Bldg. A, Suite 103,
Wasilla, AK 99654
907.206.4601 ☐



CALENDAR

PHC QUARTERLY BUSINESS MEETINGS

November 19, 2025, 1:00 p.m.,

Anchorage, Alaska

April 15, 2026, 1:30 p.m.,

Anchorage, Alaska

INTERNATIONAL FOUNDATION OF EMPLOYEE BENEFITS PLANS (IFEBP) - 71ST ANNUAL EMPLOYEE BENEFITS CONFERENCE

November 9-12, 2025

Honolulu, Hawaii

The PHC/National CooperativeRx Reception – November 11, 4:00-7:00 p.m.,

Pint and Jigger

ANNUAL EDUCATION SESSION AND BOARD MEETING

Reception: April 14, 2026, 6:00 p.m. Alaska

Annual Meeting and Board Meeting: April 15, 2025, 8:00a.m. and 1:30p.m.

Hotel Captain Cook, Anchorage, Alaska ☐

DID YOU KNOW? The Power of the PHC-NLAHCC Alliance

Your Plan's membership with the PHC provides an advantage you may not know about.

The PHC is allied with the National Labor Alliance of Health Care Coalitions (NLAHCC), which offers PHC member plans and their participants important benefits. The NLAHCC is the largest alliance of labor unions and labor management coalitions in North America, representing 23 member coalitions and more than 10 million covered individuals. Their mission

centers on building collaborations that maximize worker access to quality-based benefits and services.

The NLAHCC has Master Agreements with service partners that have been carefully vetted for transparency, innovativeness and commitment to collaboration including:

- [Optum Healthcare Credit Balance Resolution Service](#)
- [EPIC Hearing Healthcare](#)
- [Sword Health](#)

The NLAHCC has leveraged its considerable buying power to negotiate better rates from these providers and PHC participating member plans have access to these rates. As a result, when PHC member plans participate in programs which are offered through the NLAHCC, they enjoy lower fees and deeper discounts.

Learn more about the NLAHCC at nlahcc.org.



111 West 16th Avenue, Suite 203
Anchorage, AK 99501

READ ABOUT: NEW CHCs BRING HIGH-QUALITY, AFFORDABLE HEALTHCARE TO EASTERN WASHINGTON, P. 3.

Since 1994, the Pacific Health Coalition (aka HCCMCA) has been helping member health plans control health care costs by negotiating better pricing on health benefits and services than these same plans could achieve on their own. Currently, there are more than 50 health plans participating throughout the United States.

The Pacific Health Coalition Programs



The services offered by the Pacific Health Coalition to its member plans are selected, negotiated and designed to achieve the best price and value for labor. For more information on these services, click on the links below, contact info@phcoalition.org or call (702) 460-4134.

- [Annual Health Fairs](#)
- [Coalition Health Centers](#)
- Dental Care (Delta Dental)
- [Dialysis Cost Containment](#) (Renalogic)
- [Disease Management](#) (Optum)
- Galleri/Grail Multi-Cancer Detection Test
- Joint Claims Administration (Aetna)
- Oncology Care (Transcarent)
- [Pharmacy Benefits Management](#) (National Cooperative Rx/CVS Caremark)
- [PPO Contracts](#)
 - Alaska Regional Hospital
 - Inpatient and Outpatient Services
- [PPO Contracts](#) (cont'd)
 - [Aetna Nationwide Provider Network](#)
 - [Orthopedic PPO](#)
 - [Surgery Benefit Program](#) (Transcarent)
 - Virtual Physical Therapy (Transcarent)
 - [Vision Care](#) (VSP) ☐