



January 30, 2017

Mr. David Fleming
Office of State Comptroller
110 State Street, 11th Floor
Albany, NY 12236

Dear Mr. Fleming:

Enclosed is UnitedHealthcare's response to the recommendation in the Office of State Comptroller's Final Report 2016-S-7, Empire Plan Drug Rebate Revenue issued on November 1, 2016.

Recommendation

Remit the \$1,498,719 in rebates identified by the audit to the Department.

Express Scripts improperly retained \$1,498,719 in NYSHIP rebates despite its contractual obligation to remit 100 percent of all revenue derived from drug manufacturer agreements to United. Consequently, United did not remit the \$1,498,719 in rebate revenues to the Department.

Response

On December 1, 2016 United credited \$1,498,719 to the Empire Plan Pharmacy CMA. Express Scripts complied with its contract with United.

Sincerely,

Thomas K. Coy
Underwriting Director

- c. D. Boland – DCS
- R. Kuiken – DCS
- J. Stein – DCS
- S. Burdick – UHC
- L. Wolfe - UHC
- E. DeNagel – ESI