

**MISSISSIPPI BOARD OF PHARMACY
MINUTES
February 17, 2026**

The Mississippi Board of Pharmacy (Board) held a special-called meeting at 10:30 a.m. on Tuesday, February 17, 2026, at 6311 Ridgewood Road, Suite E-401, Jackson, MS 39211. The following members were present: Jillian Foster – President, Mike Gilbow – Secretary, Tony Waits, David Hudson and Patti Hawkins. Notice of the special-called meeting was posted on the door of the offices of the Board at 7:00 p.m. on February 13, 2026, and posted on the agency website. Notice is attached.

Meeting called to order by President of the Board, Jillian Foster, at 10:33 a.m.

Upon a motion by Board Member Mike Gilbow, 2nd by David Hudson, the Board unanimously approved the employment of Kyle Kirkpatrick for an Attorney III position with the Board at an annual salary of One Hundred Fifteen Thousand Dollars (\$115,000.00). The start date for this position will be March 11, 2026.

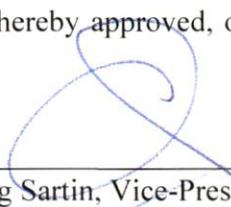
Upon a motion by Board Member Tony Waits, 2nd by Board Member David Hudson, the Board unanimously approved the attached letter, which outlines the Board’s request to keep the regulation of Pharmacy Benefit Managers under the jurisdiction of the Board of Pharmacy rather than moving such regulation to the Department of Insurance.

The Board adjourned at 10:57 a.m.

These February 17, 2026, MINUTES of the Board are hereby approved, on this the 5th day of March, 2026.



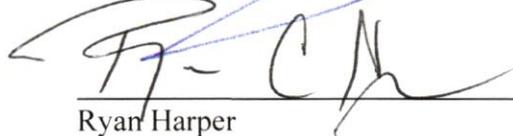
Jillian Foster, President



Craig Sartin, Vice-President



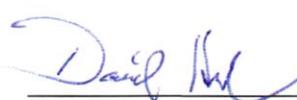
Mike Gilbow, Secretary



Ryan Harper



Patti Hawkins



David Hudson



Tony Waits



**STATE OF MISSISSIPPI
MISSISSIPPI BOARD OF PHARMACY**

**The MS Board of Pharmacy will hold a special-called meeting
at the Board offices**

6311 Ridgewood Road, Suite E 401, Jackson, MS 39211

February 17, 2026 at 10:30 a.m.

**The purpose of the meeting is to hold an executive session to discuss
potential litigation from new legislation and a personnel matter.**

MISSISSIPPI BOARD OF PHRAMACY
February 17, 2025
10:30 A.M.

AGENDA

- I. CALL TO ORDER/ESTABLISH A QUORUM**
- II. EXECUTIVE SESSION**



STATE OF MISSISSIPPI
Board of Pharmacy

Although the Mississippi Board of Pharmacy ("Board") supports some of the language included in House Bill 1665, it is strongly opposed to the proposed legislation that would transfer the licensing and regulation of pharmacy benefit managers (PBMs) from the Board to the Commissioner of Insurance.

The Board believes that maintaining PBM regulatory authority within the Board of Pharmacy is crucial for effective oversight, ensuring patient access to care and compliance with Mississippi laws. The Board has already established a successful, specialized regulatory framework.

- **Established Expertise and Experience:** The staff of the Board has developed in-depth, specialized expertise in PBM business models, reimbursement structures, and the Pharmacy Benefit Prompt Pay Act and the Pharmacy Audit Integrity Act. Years of experience studying these laws have created a mature, specialized regulatory oversight office that cannot be easily replicated.
- **Active Auditing and Enforcement:** The Board has already audited major pharmacy benefit managers identifying, for example, failure to follow the appeal process outlined in Mississippi Code Annotated, Section 73-21-156.
- **Proven Results in Compliance and Reimbursement:** The Board has successfully entered into Agreed Orders with PBMs, ensuring compliance with Mississippi law regarding appeals and ensuring that pharmacies were reimbursed money owed due to the payment by the PBM being below the pharmacy acquisition cost. For example, pursuant to an Agreed Order with CVS Caremark, 242 pharmacies submitted appeal reports which has resulted in 154 pharmacies receiving a total sum of \$3,575,521.44 in additional reimbursement to date. In the Agreed Order with Express Scripts, 134 pharmacies submitted appeal reports that resulted in 134 pharmacies receiving a total sum of \$2,694,104.63 in additional reimbursement.
- **Industry Collaboration:** The Board has actively collaborated with PBMs to educate and ensure compliance with state law and also acted as a direct intermediary to resolve disputes between pharmacies and PBMs.
- **Specialized Knowledge vs. General Insurance Regulation:** PBMs are not insurers; they are key players in designing plans that dictate drug therapy access. The Board of Pharmacy possesses the pharmacy-specific knowledge required to understand complex pharmaceutical reimbursement and involved stakeholders, which is distinct from the general financial regulation provided by an Insurance Department. This specialized knowledge is critical for ensuring oversight of meaningful reporting by the PBMs.

Currently, the sole authority to regulate PBMs rests with the Mississippi Board of Pharmacy. Transferring this authority would disrupt the current, effective oversight mechanism that has been developed in Mississippi, requiring a new agency to start from scratch. The Board of Pharmacy is the most efficient and qualified entity to manage PBM regulation, having already established a successful track record of accountability and compliance.

We urge the Legislature to recognize that the Mississippi Board of Pharmacy is the agency best suited to enforce PBM statutes and regulations in the state of Mississippi.