

May 13, 2021

Reginald Dilliard, PhD  
Executive Director  
Tennessee Board of Pharmacy  
665 Mainstream Drive, 2nd Floor  
Nashville, TN 37243

Re: American Medical Association Concern Regarding Walmart Corporate Pharmacy Policies that Harm Patients

Dear Dr. Dilliard:

On behalf of the American Medical Association (AMA) and our physician and medical student members, I am writing in support of the Tennessee Board of Pharmacy (TBP) taking action to stop corporate pharmacies from interfering in the patient-physician-pharmacist therapeutic triad. As described in a recent complaint filed with the TBP, the AMA has significant concerns that Walmart's arbitrary "refusal to fill" policy, which emanates from its Arkansas corporate headquarters, may be in violation of Tennessee law.

Walmart is an out-of-state corporate entity. We are not aware of any authority Walmart has over Tennessee physicians or pharmacists to dictate what constitutes a legitimate medical purpose for a prescription issued in the usual course of professional practice, as required by the federal [Controlled Substances Act](#). We also are concerned that Walmart's actions directly interfere with the practice of pharmacy and the ability of pharmacists, licensed by the State of Tennessee, to exercise their corresponding responsibility under state and federal law.

The AMA has attempted, on multiple occasions, to learn how Walmart created its corporate "refusal to fill" policy. Specifically, we inquired about Walmart's absence of due process protections afforded physicians and the fact that no apparent processes existed to protect patients. We also asked why Walmart's corporate entity believed it could countermand a state-licensed pharmacist's professional judgment. These efforts have included the following:

- In [August of 2018](#), AMA highlighted for Walmart executives some of the harms that its policies were causing patients.
- We pointed out again in [October of 2018](#), that "a pharmacist's professional and ethical obligations—similar to a physician's—are guided by his or her training and obligations under state and federal law. Having the corporate entity determine what is—and is not—acceptable clinical practice is deeply troubling."
- And in [September of 2019](#), after Walmart repeatedly refused to make its reasoning or policies transparent, we publicly urged that Walmart "provide the AMA with the detailed data sources and analytical tools that are being used to create the algorithms and decision points behind your "refusal to fill" policy."

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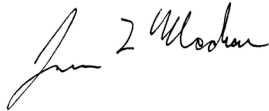
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To this day, Walmart has refused our requests to engage in an open, transparent manner about its corporate pharmacy chain policy that blacklists physicians, interferes with the practice of state-licensed pharmacists, and harms patients. As a result, AMA strongly believes that it is critical for the TBP to step-in to investigate whether this interference in the practice of pharmacy violates Tennessee law. If Walmart is found in violation, the AMA would support the TBP taking all appropriate actions to put a stop to these inappropriate corporate policies as implemented in Tennessee.

If you have any questions or would like to discuss the issues presented in more detail, please contact Daniel Blaney-Koen, JD, Senior Legislative Attorney, AMA Advocacy Resource Center, at [daniel.blaney-koen@ama-assn.org](mailto:daniel.blaney-koen@ama-assn.org).

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script, appearing to read "James L. Madara".

James L. Madara, MD

cc: Tennessee Medical Association