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MONTANA FIRST JUDICIAL DISTRICT COURT,
LEWIS AND CLARK COUNTY

PHARMACEUTICAL CARE MANAGEMENT ASSOCIATION, Plaintiff, v. STATE OF MONTANA, ex rel., MATT ROSENDALE, MONTANA STATE AUDITOR AND EX OFFICIO COMMISSIONER OF SECURITIES AND INSURANCE, Defendant.	Cause No. DDV-2019-1076 **ORDER FOR DECLARATORY JUDGMENT AND PERMANENT INJUNCTION**

On August 20, 2019, the Pharmaceutical Care Management Association ("PCMA") and the Office of the Montana State Auditor, Commissioner of Securities and Insurance ("CSI"), came before the Court for a scheduled show cause hearing to argue the continuation of the Temporary Restraining Order issued July 31, 2019. After the hearing and consideration of the brief and affidavits submitted by PCMA, on August 28, 2019, this Court issued Findings of Fact, Conclusions of Law, and Order On Preliminary Injunction ("Preliminary Injunction Order").

The parties have now entered into a stipulation waiving any requirement of a final hearing and findings of fact and conclusions of law, and consenting to the entry of this Order. Based on that stipulation and the findings of fact and conclusions of law found in the Preliminary Injunction Order, it is hereby ordered, that CSI is permanently enjoined from:

1. Refusing to renew an administrator's certificate of registration under Mont. Code Ann. § 33-17-603(3) (2019) upon the administrator's payment of the $100 fee;

2. Requiring an administrator seeking renewal of its certificate of registration under

Mont. Code Ann. § 33-17-603(3) (2019) to produce copies of all contracts related to the provision of pharmacy benefit manager services, including, but not limited to, intercompany agreements, contracts with pharmacies, manufacturers, wholesalers, group purchasing organizations, pharmacy service administrative organizations, brokers, consultants, health insurance issuers, and any other entity pertaining to the provision or administration of a pharmacy benefit offered to covered persons in Montana as a condition of renewing the administrator's certificate of registration; and

3. Refusing to renew an administrator's certificate of registration under Mont. Code Ann. § 33-17-603(3) (2019) for failure to provide contracts related to the provision of pharmacy benefit manager services, including, but not limited to, intercompany agreements, contracts with pharmacies, manufacturers, wholesalers, group purchasing organizations, pharmacy service administrative organizations, brokers, consultants, health insurance issuers, and any other entity pertaining to the provision or administration of a pharmacy benefit offered to covered persons in Montana.

DATED this 5 day of Nov 2020.

DISTRICT COURT JUDGE