

Center for Judicial Accountability, Inc. (CJA)

From: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Sent: Monday, January 8, 2018 2:54 PM
To: 'sogutm@nyassembly.gov'
Cc: 'GottfriedR@nyassembly.gov'
Subject: Assemblyman Gottfried's participation tomorrow as a panelist in City & State's forum on this year's budget priorities

Dear Mr. Sogut,

Below is our e-mail exchange from last year. For your convenience, the direct link to the VIDEOS of my January 30, 2017 and January 31, 2017 testimony about the citizen-taxpayer action, suing the Legislature and Governor for corruption with respect to the state budget – germane to what Assemblyman Gottfried was objecting to in his April 8, 2017 statement on the floor of the Assembly, is here: <http://www.judgewatch.org/web-pages/searching-nys/2017-legislature/budget-hearings.htm>. The direct link to the March 29, 2017 verified supplemental complaint, incorporating that testimony and laying out the fraud, unconstitutionality, and other lawlessness that had taken place thereafter, is here: <http://www.judgewatch.org/web-pages/searching-nys/budget/citizen-taxpayer-action/2nd/9-2-16-osc-complaint/3-29-17-osc.htm>.

I would greatly appreciate knowing whether any of Assemblyman Gottfried's colleagues had ever alerted him to either my testimony or to the citizen-taxpayer action – or if he otherwise had knowledge of same.

Thank you.

Elena Sassower, Director
Center for Judicial Accountability, Inc. (CJA)
www.judgewatch.org
914-421-1200

From: Mischa Sogut [mailto:sogutm@nyassembly.gov]
Sent: Thursday, April 13, 2017 11:06 AM
To: Center for Judicial Accountability, Inc. (CJA) <elena@judgewatch.org>
Subject: RE: Assemblyman Gottfried's powerful April 8th statement on the Assembly floor regarding the workers' compensation drug prescription legislation in budget bill #S3009

Elena –

It was in the enacted Revenue bill, A.3009-C, the language is below.

Best,

Mischa B. Sogut
Legislative Director, Assembly Health Committee
Office of Assembly Member Richard N. Gottfried
518-455-4941
SogutM@nyassembly.gov

SUBPART C

13 Section 1. The workers' compensation law is amended by adding a new
14 section 13-p to read as follows:

15 § 13-p. Comprehensive prescription drug formulary. The chair shall
16 establish a comprehensive prescription drug formulary on or before
17 December thirty-first, two thousand seventeen. The prescription drug
18 formulary shall include a tiered list of high-quality, cost-effective
19 medications that are pre-approved to be prescribed and dispensed, as
20 well as additional non-preferred drugs that can be prescribed with prior
21 approval. Such prescription drug formulary, shall include but not be
22 limited to implementation of a pharmacy reimbursement strategy, adminis-
23 tration of a prescription drug rebate program for formulary drugs, a
24 pre-approval program, drug utilization review, and limitations on the
25 prescribing of compounded medications and compounded topical prepara-
26 tions. The board shall promulgate regulations to permit an interested
27 party to submit a request to the medical director of the board to alter
28 or amend the formulary to consider changing the status of a drug from
29 non-preferred to preferred. Regulations may include a provision for
30 reasonable costs and fees associated with the review.

31 § 2. This act shall take effect immediately.

From: Center for Judicial Accountability, Inc. (CJA) [<mailto:elena@judgewatch.org>]

Sent: Thursday, April 13, 2017 10:54 AM

To: sogutm@nyassembly.gov

Subject: Assemblyman Gottfried's powerful April 8th statement on the Assembly floor regarding the workers' compensation drug prescription legislation in budget bill #S3009

TO: Mischa Sogut/Legislative Director to Assemblyman Richard Gottfried

This follows up my phone call a short time ago, requesting to speak with you.

On April 8th, Assemblyman Gottfried delivered powerful remarks from the Assembly floor in opposition to a system for a prescription drug formulary as part of workers' compensation that is within budget bill #S3009. Here's the video: http://nystateassembly.granicus.com/MediaPlayer.php?view_id=6&clip_id=4213 – the Assemblyman's remarks are at about 4 hours/20 minutes.

Kindly identify the part/section of the budget bill to which Assemblyman Gottfried was referring – as “with no process as to how it is set up, other than the chair of the workers' comp board will create it”; “little guidance in the statute as to what the criteria will be...”, “no process provided in the bill”; “no criteria...as to when to grant it and when not”; having “spr[un]g forth to public view a few hours ago. It was not in the original bill as submitted by the governor. It has never seen the light of day until, literally, after dawn this morning, so the general public never had any opportunity to even know that this concept was on the table...” – “hell to pay”, if applied in other contexts; “language [that] is just wrong, not the way we should be treating workers who are injured or diseased from their employment...”

Especially as Assemblyman Gottfried has pledged to take steps “over the next few weeks” – so that it is “more civilized legislation” – I look forward to alerting you to an opportunity Assemblyman Gottfried has to do just that – and to speaking with Assemblyman Gottfried directly about it.

Thank you.

Elena Sassower, Director
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