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Major Drug Company Settles Deceptive Co-Pay Coupon Class in New York

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Pfizer Inc. settled last week a case brought by New York's attorney general based on the world's largest pharmaceutical company misleading consumers with its drug co-payment coupon program. The global giant initiated a coupon program that led consumers into thinking they would be paying far less to fill prescriptions but then they ended up having to pay more from 2015-18.

Pfizer agreed to pay \$500,000 in fines and costs and to issue more than \$200,000 in new restitution coupons to help consumers struggling with health insurance plans that carry high co-payments and deductibles for prescriptions. Pfizer's coupons would say in large print that consumers would "PAY NO MORE THAN" \$15, \$20 or \$25 for certain drugs like Estring for vaginal atrophy and Flector patches for acute pain. New York's Attorney General Barbara Underwood said the practice was deceptive because the true price of the drugs was buried in fine print.

Pfizer now changed its text to read that consumers could "pay as little as" certain specified amounts. Reimbursements would go to New York consumers who used the coupons within three years of Sept. 21, 2018, and paid more than \$15 to \$25 out of pocket, but the New York-based company did not admit or deny liability.

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