

FRANK BURNS, MEMBER
72ND LEGISLATIVE DISTRICT

DISTRICT OFFICES:
535 FAIRFIELD AVE.
JOHNSTOWN, PA 15906
(814) 536-8400
FAX: (814) 533-2368

123 WEST HIGH ST.
EBENSBURG, PA 15931
(814) 472-8021
FAX: (814) 472-1965



House of Representatives
COMMONWEALTH OF PENNSYLVANIA
HARRISBURG

HARRISBURG OFFICE:
332 MAIN CAPITOL
P.O. BOX 202072
HARRISBURG, PENNSYLVANIA 17120-2072
(717) 772-8056
FAX: (717) 772-9965

COMMITTEES

PROFESSIONAL LICENSURE, CHAIRMAN
NORTHWEST DELEGATION

February 4, 2026

The Honorable Josh Shapiro
Governor of Pennsylvania
225 Main Capitol Building
Harrisburg, PA 17120

Dear Governor Shapiro,

I am writing to bring to your attention a deeply troubling situation involving Martella's Pharmacy, a family-owned independent pharmacy that has served the Johnstown area for more than 60 years, and the actions of Express Scripts, Inc., one of the nation's largest Pharmacy Benefit Managers (PBMs).

Martella's Pharmacy operates seven locations and serves a high number of Medicaid, Medicare, and commercially insured patients. Despite a long record of compliance and corrective action, Express Scripts abruptly terminated its contract with all seven Martella's locations based on two isolated incidents that occurred at only two locations—incidents that were already addressed, remediated, and resolved years ago. Notably, Express Scripts previously reviewed these matters and determined they did not warrant termination at the time.

Now, years later, Express Scripts has retroactively relied on those same incidents to justify terminating Martella's entire pharmacy network across all lines of business. This decision has resulted in devastating consequences: a reported 60-percent loss of revenue, disruption of patient care, confusion for seniors and Medicaid recipients, and the effective elimination of a trusted local healthcare provider from its community.

What makes this situation especially concerning is the broader pattern it reflects. PBMs like Express Scripts are not neutral administrators. They control access to insurance networks while also having financial ties to mail-order pharmacies and national chains that directly benefit when independent pharmacies are pushed out. This raises serious concerns about conflicts of interest, market manipulation, and anti-competitive conduct.

Federal Trade Commission findings and Pennsylvania's own legislative actions—including Act 77—have already acknowledged that PBM practices disproportionately harm independent pharmacies and reduce patient choice. If this termination is allowed to stand, it sets a dangerous precedent: PBMs could eliminate independent pharmacies statewide by resurrecting minor technicalities and past issues, replacing them with out-of-state corporate providers and mail-order services—regardless of community impact or patient need.

I respectfully ask that your office review this matter and refer it to Attorney General David Sunday for further investigation into potential antitrust violations and conflicts of interest involving Express Scripts. This is not just about one pharmacy—it is about protecting fair competition, patient access, and local healthcare infrastructure across Pennsylvania.

Independent pharmacies are cornerstones of our communities. Allowing PBMs to weaponize their market power against them undermines public trust and harms the very people our healthcare system is meant to serve.

Thank you for your attention to this important issue and for your continued leadership on behalf of Pennsylvania consumers and small businesses.p

Respectfully,

A handwritten signature in black ink, appearing to read "Frank Burns", with a stylized, cursive script.

Frank Burns
State Representative
72nd Legislative District

cc: Mr. David Sunday, Pennsylvania Attorney General