

STATE OF LOUISIANA  
Plaintiff

Versus

CAREMARKPCS HEALTH, LLC  
CVS HEALTH CORP  
Defendants

27<sup>th</sup> JUDICIAL DISTRICT COURT  
ST. LANDRY PARISH, LOUISIANA  
CASE NO. \_\_\_\_\_

**PETITION FOR INJUNCTION, CIVIL PENALTIES, AND OTHER RELIEF**

NOW INTO COURT, through undersigned counsel, comes the State of Louisiana through the Honorable Liz Murrill, Attorney General, and respectfully submits the following Petition.

**I. Nature of the Action**

1. This is a civil enforcement action brought by the State of Louisiana, through its Attorney General, to hold CVS Health Corporation, CaremarkPCS Health, L.L.C., and affiliated entities accountable for unfair, deceptive, and unlawful practices that have harmed Louisiana patients and the public at large.
2. Defendants operate one of the nation’s largest vertically integrated pharmacy enterprises, controlling the flow of prescription drugs from formulary design and pricing negotiations to pharmacy reimbursement, health insurance coverage, and drug dispensing. Through CVS Caremark, their pharmacy benefit manager (PBM), Defendants exert enormous influence over the prescription drug market in Louisiana.
3. In the June 2025 session, the Louisiana Legislature considered House Bill 358, which was designed to regulate certain aspects of the public harm caused by the Defendants’ vertical integration described above.
4. In an abuse of their market power and trusted relationship with consumers, Defendants recently undertook a statewide mass texting campaign using contact information obtained from pharmacy and healthcare transactions, without proper authorization or legal justification. These messages—sent under the guise of health alerts—urged patients to oppose pending state legislation (House Bill 358) that would have restricted PBMs like CVS from owning pharmacies. The messages contained misleading claims designed to provoke fear about pharmacy closures, drug access, and employment loss. In doing so, Defendants misused health-related information of Louisiana citizens for political lobbying, in violation of Louisiana law and fundamental principles of confidentiality and trust in the pharmacist-patient relationship.

5. Through this action, the State of Louisiana seeks injunctive relief, civil penalties, restitution, and any other relief the Court deems just and necessary to restrain and remedy these ongoing violations of law. The Attorney General further seeks to protect the integrity of Louisiana's healthcare system, ensure transparency in the administration of prescription benefits, and prevent the misuse of personal health data for improper political or commercial gain.

## **II. Parties**

6. Plaintiff, the State of Louisiana ("State") is a sovereign state that fulfills its duties to its citizens through various offices established by law. The Attorney General has the constitutional and statutory authority to bring this action on behalf of the State, and in the public interest of the citizens of the State of Louisiana.
7. Defendant CAREMARKPCS HEALTH, LLC ("CaremarkPCS") is a Delaware limited liability company with its principal place of business at One CVS Drive, Woonsocket, Rhode Island, 02895. CaremarkPCS is registered to do business in Louisiana and can be served through its designated registered agent, National Registered Agents, Inc., located at 3867 Plaza Tower Dr., Baton Rouge, Louisiana 70816. CaremarkPCS is registered as a third-party administrator with the Louisiana Department of Insurance.
8. Defendant CVS HEALTH CORP ("CVS Health") is a Delaware limited liability company with its principal place of business at One CVS Drive, Woonsocket, Rhode Island, 02895. Defendant CaremarkPCS is a wholly owned subsidiary of CVS Health. CVS Health holds itself out as deliberately directing, and is therefore responsible for, CaremarkPCS' forum-related activities. Among other things:
  - A. Prior to 2014, CVS Health bore the name CVS Caremark Corporation. When announcing its name change in 2014, CVS Health stated that its PBM services would continue to be known as "CVS/Caremark."
  - B. CVS Health continues to use CVS Caremark to refer to its PBM services on its website and in other locations.
  - C. The website located at [www.caremark.com](http://www.caremark.com) bears the name CVS Caremark.
  - D. CVS Health states in its filings with the U.S. Securities and Exchange Commission that its "Pharmacy Services segment provides a full range of PBM solutions. including plan

design offerings and administration, formulary management, retail pharmacy network management services, and mail order pharmacy."

E. Likewise, CVS Health has stated that as part of its PBM services, CVS Health designs pharmacy benefit plans and negotiates with pharmaceutical companies to obtain discounted acquisition costs for many of the products on CVS Health's drug lists.

9. Defendants CaremarkPCS and CVS Health are referred to as "CVS". At all relevant times CVS transacted and continues to transact business in Louisiana.

### **III. Jurisdiction and Venue**

10. The district court has subject matter jurisdiction as a court of general jurisdiction.

11. This Court has personal jurisdiction over the Defendants pursuant to La. C.C.P. Art. 6, La. R.S. 13:3201 and 51:1407(A) because the Defendants engage in commercial transaction within Louisiana, and purposefully directs its action towards Louisiana, the unlawful conduct described herein occurred in Louisiana and was directed toward Louisiana residents, and CVS has the requisite minimum contacts within Louisiana to permit this Court to exercise jurisdiction.

12. Venue is proper in St. Landry Parish pursuant to 51:1407(A), and it is one of the Parishes within which the Defendants do business, and citizens of St. Landry Parish are among the victims of the unlawful conduct described herein.

### **IV. Facts**

13. On June 11<sup>th</sup>, 2025, House Bill 358 was pending in the Louisiana legislature in open session, which would have banned PBMs from owning pharmacies.

14. On June 11<sup>th</sup>, 2025, CVS sent urgent text messages to customers—illegitimately using contact information obtained under the guise of prescription and health notifications—to oppose House Bill 358.

15. One text read: "Last minute legislation in Louisiana threatens to close your CVS Pharmacy — your medication cost may go up and your pharmacist may lose their job. Contact your elected officials to protect your access, send a message at [cvs.co/la](https://cvs.co/la)", and included a link for sending drafted letters to legislators. This was an inaccurate and deceptive statement.

# SOS Louisiana

A proposed law would close all CVS Pharmacy® locations in the state of Louisiana. That means you will no longer be able to fill your prescriptions here and the cost of your medications may go up.

**Tell your elected officials to OPPOSE pharmacy closures.**

Take action now. Text **OPPOSE** to **63641**

Email your  
elected official

16. Another text read: “Louisiana lawmakers are still considering a plan to force pharmacies to close. These mandates would leave Louisianans, including seniors, veterans, and patients with grave health care conditions, with lost access to their medications. Watch this ad from Save our Benefits, to learn more about the harm these proposals would have on Louisiana patients.” This was an inaccurate and deceptive statement, clearly intended to incite fear among seniors, veterans, and people with serious health conditions.
17. Yet another text read: “CVS Pharmacy: Last minute legislation in Louisiana threatens to close your CVS pharmacy – your medication cost may go up and your pharmacist may lose their job. Contact your elected officials to protect your access, send a message at [cvs.co/la](https://cvs.co/la),” with the same link to send messages and letters.

Today 4:11PM

CVS Pharmacy: Last minute legislation in Louisiana threatens to close your CVS Pharmacy - your medication cost may go up and your pharmacist may lose their job. Contact your elected officials to protect your access, send a message at [cvs.co/la](https://cvs.co/la)

The sender is not in your contact list.

Report Junk

18. These texts and others were inaccurate, misleading, and deceptive, and were clearly intended to incite fear among vulnerable people regarding their medical needs to garner their support to lobby the legislature against pending legislation CVS opposed.
19. On June 12<sup>th</sup>, 2025, the Attorney General put CVS on notice of its likely violation of Louisiana law, including the Louisiana Unfair Trade Practices Act.
20. CVS's text messages show that it improperly used the personal contact information of Louisiana customers for its own use in a manner intended to incite fear – especially among vulnerable populations - through its propagandized messaging. The propagandized nature of the texts were deliberately misleading and intended to incite fear among vulnerable populations.
21. On information and belief, CVS's text messages breach their own terms of service with their customers, and their own internal privacy policies.
22. CVS is governed by the Louisiana Pharmacy Practice Act (LPPA) La. R.S. 37:1161, *et seq.* These statutes demonstrate a clear legal expectation that pharmacists in Louisiana must conduct themselves in a trustworthy, professional, and ethical manner consistent with earning and maintaining public confidence. Defendants' malicious, targeted, threatening communications violated the Louisiana Pharmacy Practice Act's requirement that those in the practice of pharmacy in Louisiana must act in a manner that merits and receives the confidence of the public.
23. In every respect, CVS's use of its pharmacy customers' contact information to send text messages spreading lies to serve its own political agenda of maintaining its anti-competitive economic position—to the obvious detriment of the public interest—constitute unethical and deceptive acts, in violation of public policy and established standards of decency.

## **V. Causes of Action**

### *Count One: Louisiana Unfair Trade Practices Act*

24. The State incorporates by reference the allegations contained in preceding paragraphs of this Petition as though fully set forth herein.
25. "Unfair or deceptive acts or practices in the conduct of any trade or commerce" are unlawful under LA R.S. 51:1405. La. R.S. 51:1405, conduct qualifies as an "unfair or deceptive act or practice" if it is unethical, oppressive, or substantially injurious to

consumers or competitors; misleads or has the capacity to mislead; violates established standards of fair dealing or public policy.

26. The facts set forth in the Petition show that CVS's conduct is unethical, substantially injurious to consumers, misleading, and violates standards of fair dealing and public policy.

27. Under La. R.S. 51:1407(A), whenever the attorney general has reason to believe that any person is using, has used, or is about to use any method, act, or practice declared by R.S. 51:1405 to be unlawful, she may bring an action for injunctive relief in the name of the state against such person to restrain and enjoin the use of such method, act, or practice.

28. Under La. R.S. 51:1407(B), in addition to injunctive relief, the attorney general may request and the court may impose a civil penalty against any person found by the court to have engaged in any method, act, or practice in Louisiana declared to be unlawful.

29. Under La. R.S. 51:1407(C), in addition to any other civil penalty provided for in this Section, if a person is found by the court to have engaged in any method, act, or practice in Louisiana declared to be unlawful under this Chapter, and the violation was committed against an elder person or a person with a disability, the court may impose an additional civil penalty not to exceed five thousand dollars for each violation.

30. Under La. R.S. 51:1409.1, the court may award damages not to exceed ten thousand dollars per violation if a person knowingly sends deceptive information to any elder person or person with a disability who suffers damage or injury as a result of an offense or violation described in this Chapter through text messaging.

31. As described herein, CVS's unlawful conduct included sending deceptive text messages to elders and persons with disabilities. Each text message received by Louisiana citizens constitute a discrete violation of LA R.S. 51:1405.

## **VI. Relief Sought**

32. Plaintiff, State of Louisiana, hereby demands a trial by jury on all claims so triable pursuant to La C.C.P. Art. 1731 and related statutes.

33. WHEREFORE, Plaintiff prays that, in due course, the Court issue a permanent injunctive order against Defendants, including any employees, agents, contractors, and those persons cooperating or participation with them, to restrain, enjoin, and prohibit Defendants from:

A. Engaging in any activity in violation of LUTPA;

B. Using any information obtained from any individual for their personal health

needs for CVS' business purposes of lobbying against pending legislation or potential legislation;

C. Any other provisions that are found to be equitable after a trial of this matter.

34. Plaintiff further prays for relief as follows:

A. In due course, the Court issue an Order that Defendants pay restitution to the State of Louisiana for all expenses reasonably related to their practices described herein through any manner deemed practicable by the Court.

B. Plaintiff further prays that, in due course, the Court issue an Order requiring Defendants to reimburse the Office of the Attorney General for all costs and expenses incurred in the investigation and prosecution of this action, including attorney's fees under LSA-R.S. 51:1408 and 1409.

C. Plaintiff further prays for judgment in favor of Plaintiff and against Defendants under LUTPA for civil penalties under LSA-R.S. 51:1407, 51:1409.1 for Defendants' violations.

D. Plaintiff further prays for all additional civil penalties allowable under law.

E. Plaintiff further prays for all damages allowable under law.

F. Plaintiff further prays that this Court grant any further relief that it finds justice may require or is otherwise equitable.

RESPECTFULLY SUBMITTED:

Liz Murrill  
Attorney General of Louisiana

/s/ Michael Dupree  
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**THE STATE OF LOUISIANA**

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