

March 18, 2003

- Via Priority Mail
- Via FAX
- Via Certified Mail
Return Receipt Requested

Ken Wooton Store Manager Costco 1000 North Rengstorff Avenue Mountain View, California 94043	Costco Pharmacy Online PO Box 1117 Lynnwood, WA 98046-1117 800 633 0334 fax
--	--

Dear Mr. Wooton,

RX# 152382; Trazodone, 100mg, 200 tablets; 2- preauthorized refills left on this prescription. Ordered 3/7/03—not filled by 3/14/03

This is a demand for medication to be provided by the Pharmacy per the Doctor's authorized prescription; your RX#152382. After 7 days of waiting on the Pharmacy this demand is perfectly reasonable—fill the prescription immediately or else immediately provide a written explanation of why Costco will not fill it.

Violation of Costco's stated policies

*"...professional care provided in a competent and timely manner in accordance with accepted standards of pharmacy practice; To be treated with dignity, consistent with professional standards...To have the patient's prescriptions dispensed and pharmacy services provided at a Costco pharmacy of the patient's choice in an atmosphere that allows for confidential communication...**Processing time 1 to 4 days...**"*

False advertising

Costco is in violation of the policies stated on the Costco.com website. The Pharmacy has not *"...provided (professional care) in a competent and timely manner in accordance with accepted standards of pharmacy practice..."* The Pharmacy has failed to treat me *"...with dignity, consistent with professional standards..."* The Pharmacy has also failed *"...To have the patient's prescriptions dispensed and pharmacy services provided at a Costco pharmacy of the patient's choice in an atmosphere that allows for confidential communication..."* But most seriously the Pharmacy has failed to achieve *"...Processing time 1 to 4 days..."*

"...with dignity, consistent with professional standards..."

Documented history of Costco (in store) Pharmacy errors

You are well aware of the written complaints made over the past several years regarding problems with the Costco pharmacy. In fact, you informed me in person that the pharmacist, (xxxxxx), was fired because of them. As we both know, and I still retain copies of the letters, he hid from Costco documentation concerning his mistakes. These included overcharges, withholding medication, refusal to provide medication in defiance of the doctor's written authorization, charging for medicine not provided, etc.

Costco Web Pharmacy

The situation with the Mountain View Costco Pharmacy, with respect to the Pharmacist you had to fire were so horrendous to me that I transferred all of my prescriptions to the online Pharmacy. I have since never ordered in person from the Mountain View Costco Pharmacy.

Online Web Pharmacy problems

However, the online Costco Pharmacy has caused a new set of problems. They have repeatedly drained resources from both myself and my excellent physician Mary Kornei, M.D. You may be aware that Dr. Kornei is one of the most popular and respected physicians practicing internal medicine in the El Camino Hospital group. Yet her prescriptions, with the Costco online pharmacy, have several times been refused for refill.

"...professional care provided in a competent and timely manner in accordance with accepted standards of pharmacy practice..."

Failure to provide medication within stated time period

Note that RX# 152382 was last filled on 12/4/02 and the bottle noted: May be refilled 2.00 times through 12/4/03. In evidence of this absolute authority to refill Costco Web Pharmacy is acting in reckless disregard for the health and well being of the patient.

Currently Costco Web Pharmacy has not shipped medication ordered on 3/7/03 (according to the website status page). Today is 3/14/03 and Costco Web Pharmacy has not filled the prescription. However, I was told the refill was challenged on 3/8/03 by an anonymous Web Pharmacy email. Not until 3/11/03 did the pharmacy (Who?) claim to have made verbal contact with Dr. Kornei. No absolute documentation of this exists.

"...Processing time 1 to 4 days..."

Anonymous emails from Web Pharmacy

An anonymous individual is sending email that contains no contact information such as one would reasonably expect from an organization governed by Federal and State laws. These emails have never referenced the prescription number, the name of my physician, nor her phone or fax numbers. This leaves no way to verify that such email is really from the Costco Web Pharmacy, who wrote it, or whether anyone is receiving the replies. Replies are not acknowledged. *Numerous requests for contact information by return email have been ignored.*

"...To have the patient's prescriptions dispensed and pharmacy services provided at a Costco pharmacy of the patient's choice in an atmosphere that allows for confidential communication..."

Mr. Wooton, I would suggest that the Costco Web Pharmacy cease and desist from their practice of holding back patient medication, when a valid refill authorization exists, and of sending anonymous emails, and of having strictly verbal contact with a physician. Medicine is serious business that should be handled in writing—prescriptions are in writing, my credit card and shipping information is in writing, and the doctor's confirmation of a prescription should likewise be done by fax, documented email, or USPS. *Conversations, Mr. Wooton, provide no such written record.*

The Costco Web Pharmacy is acting like a "telephone pharmacy" which may be dangerous because no written records/confirmations are being used, and also because it is inefficient. In point of fact, Mr. Wooton, I have no medication 7 days after ordering it.

"...in an atmosphere that allows for confidential communication..."

The technologies of voice mail, email, and fax are highly automated, inexpensive and reliable *but only when used professionally*. Yet, the Costco Web Pharmacy will not use fax, will not use voicemail properly, and will only send paltry, anonymous email messages 1 or 2 sentences long. These unprofessional emails do not mention: a prescription number, specify the doctor's name, the doctor's fax or phone number, contain contact information about the email sender sufficient to verify the message is even from a Costco employee or agent.

Various laws require a Pharmacy to have a known permanent address, employ responsible individuals who are licensed and have publicly displayed names and other such verifiable information. I believe it may be a regulatory violation to act as a "Web Pharmacy" under conditions of anonymity by which the Costco Web Pharmacy seems intent on perpetrating.

Unprofessional, unverifiable communications

Anyone using the Internet knows that email headers may be easily forged. An email return address may or may not be valid. Yet someone from webpharmacy@costco.com has refused to fill RX# 152382 without providing their name, their phone and fax numbers, the USPS address of the Pharmacy, or even just a unique employee ID. This is certainly a violation of your company's stated promises to the customer regarding *"... an atmosphere that allows for confidential communication..."*

Mr. Wooton, you have received ample written documentation on several occasions from me about this situation. We have discussed this in person, on the telephone and I have even mailed or faxed to you printed documentation of these anonymous emails. You told me that you have shown my documentation on previous occasions to upper management at Costco. Yet an unknown individual(s) at webpharmacy@costco.com continues to cause problems for both



verne@widgetmagic.com / 650 969 4979 / 650 428 1628 fax

patient and doctor.

Mr. Wooton, it is clearly a failure of Costco's stated policies to allow this Web Pharmacy to continue operating in the manner documented to you. Obviously health issues are not to be trivialized—they can become life or death affairs; therefore when a pharmacy is withholding both medication and identifying information (name, their phone and fax numbers, the USPS address of the Pharmacy, or even just a unique employee ID) this could possibly lead to civil, regulatory or criminal penalties. It is clearly a violation of the Costco policy—*"...professional care provided in a competent and timely manner in accordance with accepted standards of pharmacy practice; To be treated with dignity, consistent with professional standards...To have the patient's prescriptions dispensed and pharmacy services provided at a Costco pharmacy of the patient's choice in an atmosphere that allows for confidential communication...Processing time 1 to 4 days..."*

As a professional business consultant I firmly believe that Costco Web Pharmacy is failing to provide a reasonable standard of safe, reliable, or even professional pharmaceutical care. It should be shut down before you have a customer die from lack of medication.

A fresh management team would be the first choice in a situation such as this.

Right now I simply want my prescription filled. In my spare time I will investigate further the relevant legal option in this matter.

Sincerely,

Verne Robinson

Cc: Costco Pharmacy Online, Dr. Kornei, Legal