



Janet T. Mills
Governor

STATE OF MAINE
Maine Prescription Drug Affordability Board
61 State House Station
Augusta, ME 04333-0061

Noah Nesin
Chair

Maine Prescription Drug Affordability Board
Tuesday November 29, 2022 @ 10:30 am
Microsoft TEAMS Meeting

Board Members in Attendance: Peter Hayes, Dr. Noah Nesin, Jennifer Reck, Rhonda Selvin
(Total = 4)
(Board seat 1 vacant)

Board Members Absent: Dr. Susan Wehry, Dr. Julia Redding
(Council seat 1 vacant)

Others Present:

Advisory Council: Jonathan French, Jennifer Kent, Christina Moylan, Anne Marie Toderico, Heather Perreault, Kristy Gould, Shonna Poulin-Gutierrez

Employee Health & Wellness: Devon French, Roberta DuPont, Nathan Morse, Emma-Lee St. Germain

All Others:

Agenda Item:	Discussion:	Action/Next Steps:
I. Call to Order (10:33 am)	Dr. Noah Nesin called the meeting to order.	
II. Introductions		
III. Approval of the Minutes (August 23, 2022)		Peter Hayes made motion to accept the meeting minutes; Rhonda Selvin seconded the motion. Motion passed.
IV. Monthly Business		
a. 10 Year Rolling Average with Inflation Discussion – Peter Hayes & Christina Moylan	Information contained in written reports; highlights and discussion noted below: <ul style="list-style-type: none"> <u>Federal Reserve Economic Data Index:</u> From 2002 to current the source explains what it is – a consumer price index for medical care services in the United States. The beginning index was an increase of average from the previous 10 years of 39% and increase of average from previous 12 months of 2.8%. 	<i>Christina a Moylan asks:</i> Is the Prescription Drug Affordability Board not going to be the body that is going to be doing this ultimately? Are we expected to move this forward until the new agency is staffed? <i>Rhonda Selvin asks:</i> What is our charge, and who can clarify that for us?



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	<ul style="list-style-type: none"> • <u>Average Rate of Inflation</u>: The simple average annual rate of inflation is 3.9% with the compound annual rate of inflation being 3.3%. • <u>Our Charge (Section 2042 1A – Title V)</u>: There is a lot of conversation around this. We had originally said we were going to give this to the Medical Affordability Board, but they are currently looking for an Executive Director. Our proposal as a group is that this is a starting point we can use to roll forward that will satisfy some of our charge we can discuss in the annual report. 	
<p>b. Annual Report Discussion</p>	<p>Discussion highlights below:</p> <ul style="list-style-type: none"> • The potential for PORTAL to put another set of eyes on this with a quick turn around might allow us to contemplate what the final recommendation is for this data, for our annual report. To pull this off on time we must: <ul style="list-style-type: none"> ○ Get Feedback ○ Schedule a December Meeting ○ Process that Feedback Together ○ Add the Additional Feedback to the Annual Report ○ Complete the Annual Report Between Then and the January Meeting ○ Finalize the Report at the January Meeting • <u>National Academy for State Health Policy (NASHP) Model</u>: Looking back on some previous models shared, we discussed a NASHP model that looks to Canadian pricing and uses those as reference rates to set upper payment limits and estate. The new model that we have is very similar in terms of the mechanics and operations, however, what it does is allow a state to leverage drug prices that Medicare will be negotiating per the inflation reduction act. There will be a dozen drugs that will be identified in 2023 – the Medicare is going to negotiate prices with drug manufacturers which will be published in 2024 at “maximum fair price.” This model will regulate what the purchasers will pay. 	



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	<ul style="list-style-type: none"> • <u>Model Legislation</u>: We are looking at designing model legislation for 340B transparency where States could require entities to share information about the amount of revenue they are capturing and the difference between the 340B acquisition drugs and what payers might be paying for drugs. 	
<p>c. National Academy for State Health Policy - Prescription Drug Affordability Board Implementation - Jennifer Reck</p>	<p>Discussion highlights below:</p> <ul style="list-style-type: none"> • <u>National Academy for State Health Policy</u>: The States are implementing Prescription Drug Affordability Boards monthly now that we have the support from PORTAL. • <u>Colorado</u>: Colorado is the furthest along. They have recently approved rules for conducting drug affordability review and are moving forward with finalizing their rules on setting upper payment limits based on the outcome of those affordability reviews. • <u>Maryland</u>: Maryland has a report that might be of interest to this group where they have looked at various strategies to improve drug affordability, and despite delays, it is potentially being published in December. They are also working on rulemaking for affordability review and upper payment limits. This work is on hold until February 2023. • <u>Washington and Oregon</u>: We're watching and anticipating that some legislation could be introduced to improve their programs. Washington had some language regarding timelines in its statute that have been creating delays in implementation. Oregon's Prescription Drug Affordability Board was enacted without the authority to set upper payment limits based on their affordability reviews and we anticipate that there will likely be legislation to expand their authority to allow them to set upper payment limits. 	
<p>d. December Meeting Schedule</p>	<p>Discussion highlights below:</p> <ul style="list-style-type: none"> • A meeting needs to be scheduled for late December (December 20th, 2022) • A meeting needs to be scheduled for mid to late January meeting (January 17th, 2023) 	



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V. Other Business		
a. Open Discussion	<p>Discussion highlights below:</p> <ul style="list-style-type: none"> • <u>January Meeting</u>: The state of emergency has ended, and the Office of Employee Health and Wellness will be scheduling in-person meeting spaces starting in January. The meeting will be offered in person and virtually. The room booked does have meeting functionality with speakers and microphones to allow for a hybrid environment. • <u>Jonathan French states</u>: With December coming up, we have cloture coming up in the legislature so I would be curious to see if any legislators are sponsoring legislation that takes up some of our recommendations or could have something different that affects us to report out on in the December meeting. 	
VI. Adjourn (11:25 am)		Peter Hayes made motion to adjourn; Jennifer Reck seconded the motion. Motion passed. Meeting adjourned.

Next meeting: December 20, 2022