

Maine Prescription Drug Affordability Board

Monday, January 26th @ 10:30 am

Microsoft TEAMS Meeting

In Person Location: 109 Capitol St, Augusta Maine, 04330

Board Members in Attendance: Kelsie Snow, Jennifer Reck, Sharon Treat, Susan Wehry, Rhonda Selvin, Lisa Nolan
(Total = 6)

Board Members Absent: Noah Nesin
Vacant Seat(s): 1

Others Present:

Advisory Council: Kate Ende, Jennifer Kent

OAHC: Meg Garratt-Reed, Ceilidh Shea, Katherine Senechal

All Others: Keisha Vaughan, Shawn Akey, Amy Breen, Lisa Dunn, Anothony Madorma, Martha Auster, Hannah Hudson, Evelyn Pereira, Cody Austin, Joesph Oros, Rose Kesselman, Rachel Cottle Latham, Cole Roswell, Cody Hill, Vanessa Lathan, Olivia Backhaus, Miranda Ryzenman

Agenda Item:	Discussion:	Action/Next Steps:
I. Call to Order	Kelsie Snow called the meeting to order.	
II. Introductions	Board members were introduced.	
III. Approval of the Minutes (November 24th, 2025)	There were changes to the minutes discussed. Jennifer Reck asked that a correction be made on page nine, noting that the reference to the Maine Drug Price Transparency Program should read as Minnesota Drug Price Transparency Program.	Jennifer Reck made a motion to approve the minutes with the changes discussed included. Susan Wehry seconded the motion. Lisa Nolan abstained due to absence at the November 24 th meeting.
IV. Administrative Update	Meg Garratt-Reed began the meeting with an administrative update regarding Board appointments, sharing a list of appointments and term dates. She said the Office does not necessarily hold this information and that the Secretary of State holds some of it, so the update is based on a few different sources, although it does reflect the current status of members serving. Meg Garratt-Reed said the Senate President's office has processed all their reappointments. She said terms are five years but staggered from the original appointment date. She said she	

was aware that Susan had reached out to the Speaker's office and has been reappointed through 2028. The Speaker's other seats, and the Governor's seats, need to go through that process. Meg Garratt-Reed said that they are aware and she had flagged the issue for them after it was raised in an earlier meeting. She said that Julia Redding had requested to step down and that she has requested they look for a new appointment to that seat. Meg Garratt-Reed asked if Board members had any questions pertaining to appointments.

Sharon Treat said that her letter said nothing about the length of the term. She said it is confusing as to whether the reappointments are for five years or are staggered based on initial appointment.

Meg Garratt-Reed said she would look into it and let the Board know.

Ceilidh Shea said that terms are five years from reappointment dates but that the Office would double check.

Meg Garratt-Reed also provided an update on the position created in LD 697. She said the Office has started the process with the Bureau of Human Resources to complete a functional job analysis, which is the step that has to be taken before the position can be posted. It includes administrative checks and allows them to create the position within their system. She said that in her experience, this part of the process can take several months given there is a bit of a queue for all state positions and all changes to state positions. She said the Office would continue to provide updates and, in the meantime, can create a job description and bring that back to the Board for feedback so that we are ready to post the job as soon as we receive approval. Meg Garratt-Reed said she would pass things off to Ceilidh Shea to move through the rest of the presentation.

Ceilidh Shea said that before Board members share their top priorities for work in 2026, she wanted to share a reminder about

LD 697 and what the Board is now charged with working on. She said that the determination of prescription drug spending targets, which was previously a duty, is no longer a charge of the Board. Instead, the PDAB is now charged with reviewing prescription drug spending data and utilization to identify causes of increased spending, soliciting public input to identify cost-related barriers to accessing prescription drugs, and assessing strategies to reduce the cost of prescription drugs.

Ceilidh Shea said the Board also has new requirements related to reporting and work products. She said the PDAB is now required to create a policy recommendation report to the Health Coverage, Insurance, and Financial Services committee, which will have the opportunity to report out legislation based on the recommendations made by the Board in that report. She said the PDAB is also now required to recommend a program to the committee aimed at reducing the impact of prescription drug costs on the State's health care system.

Ceilidh Shea said there may be some flexibility with the dates those reports are due, given the bill was held over.

Meg Garratt-Reed said she was able to have a conversation about this last week and learned that there aren't specific or hard rules or processes for dealing with situations where legislation was held over. She said the guidance she received was that if it is possible to meet the original guidelines laid out in the bill, that is ideal.

Sharon Treat asked about whether it would be permissible, should the Board need a few more months to complete some of the work, to shift the timeline or whether legislation would need to be introduced to extend the deadline?

Meg Garratt-Reed said that her general sense is that legislation would not be necessary. The Board could, when the time comes, send a letter for the Health Coverage, Insurance, and Financial Services committee to inform them of the situation and have an informal response from them on record. She said she thought that

would be more than sufficient in this case and it's just not a situation that is contemplated in any formal way. She said she does not think it would be necessary to go back and amend the bill just for timeline concerns.

Ceilidh Shea asked Board members to share their top three priorities to begin organizing work for 2026.

Kelsie Snow said that her top priorities were UPLs, implementing transparency requirements, and reducing out of pocket costs for patients.

Sharon Treat said that her top priorities were UPLs and PBMs and making sure we have the capacity to oversee what they're doing and enforce the rules on the books. She said her third priority was transparency provisions. She said Karynlee Harrington of MHDO is going to be a member of the PDAB soon, when the law fully takes effect. Sharon Treat said part of that could include working with MHDO to clarify and expand in certain areas where there might be a lack of data that impedes the ability of not only the Board, but others as well, to really address affordability.

Jennifer Reck said that her first priority is UPLs but specifically looking at the role that Medicare Negotiated Prices (MFP) could play as UPLs for payors in Maine. She said Vermont just did an analysis looking at potential savings to carriers if they had used the first round of MFPs as UPLs in the state. She said she believes that the analysis found that there could have been \$30 million in savings for state carriers. She said she could share the report out with the Board. She said what is really notable about their analysis is that around 63% of the \$30 million in savings were from just two drugs. Jennifer Reck said that looking at the report like the Vermont one and considering doing a Maine based analysis to see what the potential savings could be might suggest a similar strategy for the Board. There could be a very limited number of UPLs that might deliver a really high level of savings. She said she believes the language in LD 697 spells out that the Board is to conduct an analysis on state employee health plan spend. She said

it could be interesting to see potential savings had the state employee health plan employed UPLs. She said that based on work in other states, UPLs do take time to implement. Colorado has enacted the first UPL and the Board should be tracking that activity throughout the year. Jennifer Reck said that her second priority is tackling out of pocket costs for consumers. She said her third priority is better utilizing data available through MHDO to target strategies. She said having MHDO on the PDAB presents real opportunities for learning more about what data is available and what can be learned from it.

Susan Wehry said that before hearing from everyone else, she planned to list transparency regarding PBMs but did not have UPLs on her list. She said she felt discouraged by the November policy review that was done looking at work in other states, including the pushback they have received from pharma. She said another one of her priorities is out of pocket costs. Her original third priority was aligning payment for prescription drugs with actual acquisition costs, however she noted she would yield to her fellow Board members on UPLs and is particularly interested in staying up to date on Colorado's progress.

Lisa Nolan said that on UPLs there is obviously a huge opportunity for savings but she agrees with Jennifer Reck that it's something we haven't see a ton of movement on in other states. She said Medicare Fair Pricing does create some reference that might be used in some instances, but it is going to be a heavy lift and seeing where other states end up on this can hopefully inform the Board's work. Lisa Nolan said that one thing not on the list is independent pharmacy access in Maine, including some concerning trends in that area. She said there may be some things the Board could do in terms of the PBM side of things. For instance, a lot of independent pharmacies right now aren't allowed to dispense under PBM rules, certain drugs, that can earn them some pretty reasonable margins. Those are limited to PBM owned pharmacies, so something that would allow for that would be really helpful. She said that last year Medicare also began requiring all DIR claw backs to happen up front to give pharmacies a better sense of

what they were going to owe. Doing something like that for commercial payments would be really helpful for independent pharmacies. Lisa Nolan also said it would be important to get those DIR claw backs reported to MHDO, which would help better reflect what costs are here in Maine.

Lisa Nolan also said that transparency and engagement are critical. She said she likes the idea of requiring marketing materials that are sent to providers to include costs. She said that more transparency of drugs being administered on the medical side of the house rather than the pharmacy would be helpful, especially given that's a big chunk of pharmacy dollars that aren't necessarily captured. She said there are gag clauses now that are being eliminated under the medical benefit at the federal level and doing something similar for pharmacy would be helpful.

Lisa Nolan said that legislation passed last session prohibiting spread pricing, but similar to Sharon Treat's point, enforcement is still unclear. She said it could be interesting to explore whether there is a way to make sure that these purchasers using PBMs have access to pricing data so that they know exactly what they are paying the PBM. She said her next priority is both related to transparency and engagement. There is a lot of important concern about consumer out of pocket costs, but it's important to keep in mind that the extent to which a policy is able to reduce out of pocket costs, there are still costs that need to be paid. If you're an employer and have to limit your cost sharing for a member, those costs still have to get wrapped up into and premium costs. So ultimately, specific consumers may not be paying but the rest of the members of that plan pay high premiums. She said that one area they could focus on is helping people access foundation assistance offered by manufacturers. The application process for that can be pretty complex so we could consider creating some sort of state resource that would help folks apply without necessarily shifting the cost back to all of their other members on the plan.

Lisa Nolan said that her last priority is addressing vertical consolidation, which is highly problematic in the industry. She said

that more and more of these PBMs and carriers and pharmacies are all owned by the same entities. One thing that's common in the commercial space is the extent that employers are interested in carving out pharmacy and deciding to go with a different type of pharmacy than their carrier offers. There is a fee associated with doing that oftentimes eats into any savings that would actually be realized from using a different PBM. She suggested looking into whether it would be possible to make those fees more reflective of the actual cost of carving out and integrating with a PBM. That would likely encourage more employers to consider more transparent, pass through PBMs. To conclude, she said her priorities are helping independent pharmacies, beefing up transparency on a number of fronts, and addressing vertical consolidation.

Ceilidh Shea thanked members for sharing their priorities. She said the Office would collect priorities from absent members and then organize and categorize those ideas. She said that based on previous conversations, she had thought about two different ways to organize meetings in 2026 based on shared priorities. Ceilidh Shea said that the first option is to organize monthly meetings in 2026 based on the five highest scoring priorities amongst Board members. For example, one of those shared priorities, based on volume shared today, will be UPLs. Under this first option, the Board would dedicate two meetings to work on UPLs, the first of which would focus on education and presentations from relevant stakeholders. The second meeting would be more of a working meeting, during which the Board would have the opportunity to determine positionality. She said that the second option is to organize monthly meetings in 2026 based on a longer list of priorities, which could be up to ten topics given the new meeting cadence. She said this provides less time for education and discussion but allows the Board to touch on more topics. She said it is important to note that the Board would still need to determine positionality for the purposes of making recommendations to the legislature. Ceilidh Shea said that the Office of course welcomes other ideas as well. She asked for members input on the options.

Jennifer Reck said she strongly prefers the first option, in the sense that it will give the Board a chance to go into a little bit more depth. She said two meetings isn't necessarily that much depth, but she is not comfortable with one meeting per topic. She said the Board will deliver a more valuable report by just diving into a little bit more depth. Jennifer Reck said that five topics sounds like a good number and there may be some overlap. She suggested that if anything else surfaces throughout the year, there should be some wiggle room for that. She asked whether this work is all for a preliminary report, which would mean that the Board would still have another year before the final report is due.

Sharon Treat said that she also prefers the first option. She said she agrees with Jennifer Reck, that if there are big issues that come up, it would be nice to have the ability to address things as they arise. She said that the way the options are presented makes it seem like the Board would have to decide after the first meeting without really having an idea of what will happen in the second meeting. She said they may want to build in more time to assess strategies within the bigger context of all the priorities as opposed to making decisions too early. Sharon Treat added that she could also imagine wanting to have additional information shared between the two meetings without delaying work or other meetings.

Kelsie Snow said that she has a strong preference for the first option as well.

Susan Wehry said she endorses the first option with one small modification, being that there should be time for discussion during the first meeting in the set of two. This will allow Board members to better frame questions to inform the discussion during the second meeting. She said she does not want the first meeting to be totally passive without discussion and setting of some agenda for the ensuing meeting.

Meg Garratt-Reed said that makes sense and that the Board may even want to flex this a bit for breadth and complexity of some of

these topics. For example, PBMs came up a lot as a priority today with lots of subcategories, like enforcement or restrictions on certain business practices. That feels like a topic that could be worth using another meeting for. Then, something like data transparency could be probably one meeting. She said she also likes Sharon Treat's idea about having the ability to look at the entire set of policies and then engage in conversations about positionality. She said it could be hard to, over the course of the year, look back to earlier meetings and recall details for the purposes of making recommendations, but maybe there are ways we can structure decisions around the second or third meetings. Then, the Board could hold off on conversation about the focus of the recommendation report until the end of the year. She said it's not that the report needs to be locked in, but the Board needs clear direction, especially given the recommendation report includes requirements that the Board consider feasibility and other factors.

Jennifer Reck said that she agrees that the Board does not have to give all five topics equal time, especially given some topics have subtopics, like PBMs. She said she agrees with Lisa Nolan's earlier point about strategies to reduce out of pocket costs often just leading to cost shifting, which is why the Board might not even need a separate meeting for out of pocket costs, but should rather assess all other strategies with out of pocket costs in mind. So if the Board is looking at UPLs and PBMs, it's important that the Board push itself to make sure that consumer spending and out of pocket cost does not get lost.

Meg Garratt-Reed said that amongst the priorities shared, it seems like transparency is being used in a few different ways. There's a sense of data reporting and visibility into the supply chain, for example. That could be one topic, but then there is also transparency more from the public consumer and provider perspective, as well. Going back to Lisa Nolan's idea about manufacturer assistance, for example, seems like something that could be built into its own meeting about visibility into cost and marketing materials. Then we could touch on consumer costs

more directly, because that is a good example of a proposed strategy that doesn't have a cost shifting impact.

Sharon Treat endorsed the idea of thinking about out-of-pocket costs as the Board goes through each item in 2026. She said it is important for the Board to think about what criteria is considered when thinking about making certain recommendations, whether it's about UPLS or any of the other policies. She suggested the Board think more about how they will define what really matters, like plan spend and/or consumer spending.

Meg Garratt-Reed said that the Office could do some thinking about a rubric to evaluate politics against so that the Board can hit on each important consideration, consumer spending. She asked the Board whether there is any activity in other states the Office should be monitoring or mindful of. She said to Jennifer Reck's point about Colorado, maybe there will be a time later in the year that is most helpful to talk about UPLs, based on new and important information from other states. She also said there is new federal movement on PBM reform, which raises the question of whether the Board might want to time certain meetings around anticipated new information or changes to the landscape.

Jennifer Reck said that federal PBM legislation has been proposed and gone by the wayside so many times that it's in the Board's best interest to just forge ahead assuming that that won't happen. She said another big date to keep in mind is January 1, 2027, when Colorado's UPL for Enbrel will go into effect. There won't be any implementation of that to track in 2026, per se, but the Board could track their rulemaking processes, given they've allowed themselves a full year to develop informed rules.

Ceilidh Shea began a discussion about the Board's involvement in legislative session. She said that in previous years the Office has created a bill tracker for the Board, with potentially relevant legislation listed. She asked members for their perspective on work processes for determining positionality and how they would like to engage with certain bills this session.

Lisa Nolan asked how the Board determines official positions on legislation.

Ceilidh Shea said that before her time with the Office, the PDAB had weighed in on a few different bills during Noah Nesin's time as chair. However, aside from supporting LD 697 and previous iterations related to expanding the scope of the Board. Other than that, there has not been explicitly involved in particular bill processes. She said that right now the Board does not have any official process in place for weighing in or determining positionality.

Meg Garratt-Reed said that timeline is a challenge. Given how quickly things change and are scheduled in legislative committees, it can be difficult to align or schedule public meetings far enough in advance. There's no ability to quickly jump on a call to discuss given public notice requirements.

Sharon Treat said that perhaps having monthly meetings will allow the Board to be a bit more nimble, but it is still a challenge. She said there has been past discussion of forming a subcommittee to work on this but to Lisa Nolan's question, it's really been consensus based in the past and there have been some bills where there was clearly no consensus on the Board, so no one pursued weighing in. If members wanted to go in their individual capacity and say something about a bill, they could do that. Sharon Treat said that the PDAB will have a dedicated staff member in the future and that person could certainly help with these processes.

Lisa Nolan said it could be helpful, when considering raising the profile of the PDAB with the legislature, to have reports to the committee, should they be amendable, accompanied by a presentation from that newly appointed staff person. That way, even if the Board cannot weigh in on individual bills, there can be more of a relationship with the committee so that they are aware the Board is a resource for them.

Susan Wehry said she would like to see the Board come up with a process for weighing in on legislation. She asked whether public meeting laws apply to subcommittee meetings.

Meg Garratt-Reed said yes, she checked with the Attorney General's Office and they confirmed that the public access requirements apply to subcommittee meetings as well. She said there is some degree of vagueness about what constitutes a quorum but there's pretty strong legal advice about ensuring you're following noticing rules and providing public access.

Susan Wehry said that this might lead the Board to Lisa Nolan's strategy related to briefings. She said it is critically important, given the new charges of the Board, to raise the PDAB's profile.

Jennifer Reck said that the previous process of being kept abreast of relevant legislation that the Board may want to weigh in on has worked well, especially when there is opportunity to discuss and determine whether there is consensus. She asked whether the briefings to the HCIFS committee could be added to the job description for the new position.

Meg Garratt-Reed said that the Office would add that to the description. She said that in an ideal world, it could also be nice to have the Board chair or another member come along. Usually before a session commences, different state entities have the opportunity to present to the committee as introductory briefings. That could be a good opportunity for the Board. She suggested at the top of the next meeting, the Office could run through the legislation Ceilidh Shea has put on the bill tracker. That way the Board can double check whether there is anything significant the Board would like to weigh in on.

Ceilidh Shea agreed. She asked if Board members had anything else to add.

Jennifer Reck thanked Meg Garratt-Reed and Ceilidh Shea for their work and support. She said this is an exciting time, given this

legislation has been introduced twice before. She said she is energized and excited and also welcomed Lisa Nolan to the Board.

Meg Garratt-Reed thanked Jennifer Reck. She said that based on the earlier discussion it seems like PBMs are a good place to start, including with a review of what is already in statute with enforcement concerns included. Supporting independent pharmacies could also be included. She said it would also be helpful to touch on, at the top of the next meeting, organizational structure.

Ceilidh Shea asked if Rhonda Selvin could come off of mute. She said she had not recognized her name as displayed on Teams. She asked Rhonda Selvin to share her top three priorities for work in 2026.

Rhonda Selvin apologized for the technical issues. She said her top priority is the provider consumer understanding piece. She said she has quite a few ideas specifically but to consider that her list.

Meg Garratt-Reed said that if Rhonda Selvin had specific ideas, the Office would be happy to receive those via email. She said Noah Nesin was not able to join today but that the Office would follow up with him as well for his priorities.

Jennifer Reck said that it occurred to her that 340B had not been mentioned yet, and while it should probably not be its own category, it could be included in discussions of transparency.

Susan Wehry said that as the Board moves forward with enthusiasm, there are people who has been enthusiastic contributors whose terms have now expired. She asked how the Board would feel about thanking them for their past service somehow.

Sharon Treat agreed. She said the legislation authorizes the PDAB to create technical committees so it's important to keep in mind people that may no longer be on the Board but have the expertise.

	Kelsie Snow said she could help facilitate getting a thank you together for past members.	
VII. Open Discussion		
VIII. Adjourn	Sharon Treat made a motion to adjourn. Jennifer Reck seconded the motion.	

Next meeting: February 23rd, 2026