

NH Prescription Drug Affordability Board

In-person / Remote Hybrid Meeting

Meeting February 26, 9:30 A.M.

NOTE: This meeting was recorded. All related documents (and a recording of the entire meeting) are available at: [New Hampshire Prescription Drug Affordability Board | New Hampshire Department of Health and Human Services \(nh.gov\)](#)

CALL TO ORDER: Representative Gary Merchant called the meeting to order at 9:30 A.M.

ATTENDING: *In person:* Representative Gary Merchant, Rober Woodward, Jason Aziz, Kirk Williamson. Todd Fahey arrived about 4.5 mins in. *Virtual:* Representative Jess Edwards, Tom Sherman. Representative Merchant promoted Jason Aziz to Board member to establish a quorum.

ABSENT: Senator Cindy Rosenwald, Senator Sharon Carson, Representative David Nagel, Senator Daryl Abbas.

BUSINESS OF THE BOARD

2024 Goals: Kirk Williamson spoke about what had been identified in the annual report as upcoming goals, such as market dysfunctions and how we can address them and the stakeholder advisory council, as well as the redundancy report. The council letters will be sent out that week.

Legislative Updates: Rep. Merchant spoke about HB 1605 in regard to the executive director contract extension and the issue of the contract, which following a unanimous decision by the E, D & A Committee has been "ITL'd", ultimately killing it. HB 1225, regarding conflict of interest is going to interim study based on the recommendation of the Commerce subcommittee. HB 1365, regarding the biologic substitution, is still being heard with the hopes that it will pass following testimony. Rep. Merchant also spoke about the need to reallocate the funding structure in the PDAB budget.

Redundancy Report: Jason Aziz spoke about the partial draft of the report. Plans to review with the Board next month. Spoke about the definition of redundancy and how information is collected and reported, including overlapping authorities. The partial draft has been reviewed by the executive director and the chair. Rep. Jess Edwards asked when it would be made available to all of the Board members for review, to which Rep. Merchant stated by that coming Friday. Rep. Edwards expressed his discontent with the partial draft not being shared with all the members of the Board, yet.

EXPERT SPEAKER: JANE HORVATH, HORVATH HEALTH POLICY: Jane Horvath joined virtually with a PowerPoint presentation entitled "Pharmaceutical Supply Chain Market Failures and State Level Solutions to Lower Costs." (The entire presentation is available in PDF, on the PDAB site, in addition to the video). Some aspects that were discussed include the unlimited manufacturer's ability to set the price as high as they want, state governments' roles in funding the pharmacy benefit, guidelines for states such as policy and rate setting, the issue of rebates and payment among vertically integrated PBMs, health plans, and pharmacies, and PBM laws. Jane spoke about the history of the Pharma industry and how and where the issue of overpricing started. She spoke about market disruptions and gave some advice on how to remedy certain issues in the future and the importance of the PDAB. There was a lengthy discussion with the Board members throughout.

BOARD DELIBERATION ON PDAB MISSION AND VISION: Kirk Williamson asked the Board to reflect on the presentation and how it informs the Board in how they will approach the coming year. Jason Aziz posed the

question of how affordability and value is viewed. He would like to hear more from ICER on cost utility. Mr. Williamson suggested looking at other states with PDABs and how they view value and cost utility. Rep. Merchant asked the Board to consider what was discussed and work towards establishing the ultimate mission of the Board. Rep. Edwards concurred and added that he would like the Board to create a parallel list of things that are outside of the scope of the Board. Rep. Merchant asked for the next meeting to be longer; 3 hours, in order to further discuss the relationship between the Board's mission and the redundancy report.

FUTURE MEETINGS AND AGENDA ITEMS: Next meeting is March 25, 9:30-12:30.

PUBLIC COMMENTS: None.

ADJOURNMENT: Representative Merchant adjourned the meeting at 11:26 a.m.

