

NH Prescription Drug Affordability Board

In-person / Remote Hybrid Meeting

March 28 2022, 10:00 AM

NOTE: This meeting was recorded and all related documents and a recording of the entire meeting is available at:

<https://www.dhhs.nh.gov/ombp/medicaid/nhpdab/previous-meetings.htm>

CALL TO ORDER: Representative Gary Merchant, Chair, opened; introductions were made.

ATTENDING: Representative Gary Merchant, Senator Tom Sherman, Todd Fahey, Senator Cindy Rosenwald, Representative William Marsh, Representative James Murphy, remotely.

A quorum was established.

ABSENT: Senator Sharon Carson.

AGENDA REVIEW: Representative Gary Merchant reviewed the agenda with the Board. He asked that the discussion of future dates be moved up in the agenda, to which all agreed.

REVIEW AND APPROVE JANUARY MINUTES: Senator Sherman motioned to accept the minutes; seconded by Todd Fahey. Motion approved via roll call.

FUTURE MEETINGS: May 23, 10:00 AM, June 20, 10:00 AM and September 20, 10:00 AM.

UPDATE ON JOINT FISCAL COMMITTEE: Representative Merchant spoke with the chair of the Joint Fiscal Committee; plans to approve the Rules today and get them to both JLCAR and the Fiscal Committee. Representative Merchant also plans to appear before the Committee on April 15th to discuss the Rules. Senator Rosenwald suggested the best thing to do is give the Fiscal Committee a projected timeline rather than the Rules themselves, as they do not have the authority to approve them. Senator Sherman agrees that rather than giving Fiscal Committee the draft Rules, better to tell them that the Rules are in front of JLCAR. Representative Merchant plans to have them presented to JLCAR next week.

UPDATE ON PDAB SENATE BILL: Senator Sherman asked, as a courtesy from the public, if they have concerns over the bill, to have it brought up with the Board before bringing them to outside entities. Discussed having a much stronger Conflict of Interest, including criminal penalties, an updated appeals process, quorum issues and the non-lapsing account and unclassified-to-classified piece.

RULES: DHHS Administrative Rules Coordinator, Allyson Zinno, discussed the most recent updates to the Rules. The Board went through the Rules page by page, discussing many details including formatting changes and minor wording changes. Some of the wording was changed to reflect the wording of statutory definitions. Ms. Zinno made it clear that definitions are not something that can be altered. Motion to accept draft Rules as amended made by Todd Fahey, seconded by Senator Sherman. Motion passed via roll call.

(VIRTUAL) PSAO PRESENTATION: Representative Merchant prefaced the presentation by stating his intention to educate the Board and public on the various aspects of the pharmaceutical supply chain. A Powerpoint presentation on the Pharmacy Services Administration Organization (PSAO) was made by Scott Pace, an independent pharmacy owner, pharmacist and attorney, who also does consulting work for the Healthcare Distribution Alliance (HDA). The HDA represents a group of PSAOs. Dr. Pace discussed the benefits for him, as an independent pharmacy owner, to pay a PSAO to manage the various

relationships necessary to run his business, such as working with health plans and PBMs. Some of the essential functions of the PSAO are to interpret contracts on behalf of the pharmacy owner, claims reconciliation and audit support. Dr. Pace mentioned there being about six large PSAOs on operation currently. Three are owned by Healthcare distributors, such as Cardinal Health, and three are independent. Dr. Pace continued to review the details of the scope of services of PSAOs, highlighting the fact that PSAOs have no involvement in price negotiations.

PUBLIC COMMENTS: In-person attendee asked if the Board intended to have the Wholesale/ Distributor aspect presented, to which Representative Merchant confirmed.

ADJOURNMENT: Undebatable Motion to adjourn made by Representative Gary Merchant.

Respectfully submitted:

Todd C. Fahey, Clerk

Nancy T. Plourde, Recording Secretary