

NH Prescription Drug Affordability Board

In-person / Remote Hybrid Meeting

October 2, 2023, 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 \(nh.gov\)](https://www.nh.gov/health/prescription-drug-affordability-board)

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

ATTENDING: In person: Representative Gary Merchant, Tom Sherman, Robert Woodward, Senator Daryl Abbas. Remote: Representative Jess Edwards, Senator Cindy Rosenwald, Todd Fahey.

ABSENT: Senator Sharon Carson, Jason Aziz, Representative David Nagel.

Rep. Merchant promoted Robert Woodward to a voting member for this meeting.

A quorum was established.

GENERAL UPDATES: Representative Gary Merchant updated the Board about the new Board members: Representative Jess Edwards, who replaced Representative James Murphy and Representative David Nagel, an alternate. Representative William Marsh resigned.

REVIEW AND APPROVE AUGUST MEETING MINUTES: Robert Woodward moved to accept the minutes and Senator Rosenwald seconded. The motion passed via roll call, with Tom Sherman abstaining due to not having attended the August meeting.

REVIEW DRAFT FOR ANNUAL REPORT: Robert Woodward reviewed the historical report. Representative Merchant reviewed the Goals and Strategies portion. Related to number 6 on the list, Senator Rosenwald suggested editing the wording to “expenditures” and “public payors”. Representative Edwards stated he did not like the word “implementation” and suggested “recommend”, instead. When discussing number 4, there was a question of whether or not it was an achievable goal. Senator Abbas stated if there is any legislation to be proposed, it can be filed. Discussed Tom Sherman legislative recommendation for 2025, between numbers 5 and 6; assess adequacy of data available to the Board to create recommended strategies. Robert Woodward expressed frustration over the lack of access to data. Senator Rosenwald made suggestions about funding strategies; to address next budget cycle. Representative Edwards agrees with the Board that price transparency is important, and stated his opinion that, in regards to legislation, we need it get it right rather than rush it. He inquired if, rather than grant funding, we can accept donations. Attorney Robert Berry said that rules would need to be created in order for the Board to receive money in that manner. A short discussion followed about funding. The Board had a short discussion about biosimilars, and how they are different from generics. Representative Edwards opened a discussion about PBMs, and the term “aggregation”; asked for clarification. Representative Merchant followed with the suggestion of public payors working as a sort of cooperative to bid on PBMs, and agreed on a probable wording change. Tom Sherman suggested changing the title to “Strategies to Consider to Reduce Drug Costs”. Guest presenter, Dr. Greg Primuth joined the discussion to give a real worked example of biosimilars, using Lantis. Representative Merchant spoke about drug pricing and the spread and inquired whether there was a spread in Medicaid. Nancy Plourde will follow up on that inquiry.

PRESENTATION ON BIOSIMILARS: Dr. Greg Primuth presented on Biosimilars. He reviewed the basics, first, distinguishing them from generics. Dr. Primuth reviewed biosimilar history and their approval process, including how they can be approved as interchangeable. He discussed the 3 types of biologics.

There was a short discussion about whether the Federal or State entities can control the ability to change the process of how biosimilars are approved. Dr. Primuth emphasized the significant savings that biosimilars present and the barriers to uptake. Representative Merchant spoke about submitting an LSR to OLS regarding the state laws and regulations for substitution and interchangeability". Tom Sherman inquired as to whether there was wording in the RSA about the requirement or ability for the prescriber to prescribe the brand name vs. the biosimilar. Currently, the pharmacist cannot override the prescribed drug with another biologic. The Board clarified proposing legislation to allow the interchangeability between biosimilars. He asked where the issue with this stems from. Dr. Primuth responded by suggesting it is in the PBM formulary. Representative Merchant suggested a follow-up presentation to the Board by a PBM to discuss why they would choose to have a brand name vs. generic, and what the benefit is to them. Dr. Primuth discussed his ideas on some opportunities to increase biosimilar uptake, such as education and legislation/policy. Senator Abbas asked why the brand name doesn't just lower its price. Representative Merchant spoke about how it affects market share. (The full presentation is available on the Board web page).

PUBLIC COMMENTS: Curtis Barry spoke about how he would like to hear from both PBMs and manufacturers. Heidi Kroll spoke about a typo in the Executive Summary. She also asked for clarification on Dr. Woodward's report about NH payors vs. NH Medicaid, to which he agreed he would do.

DATE OF FUTURE MEETINGS: October 16 and October 30.

NON-PUBLIC SESSION: Tom Sherman moved to go into a non-public session, seconded by Robert Woodward. Motion passed via roll call.

SEAL NON-PUBLIC MINUTES: Motion by Dr Sherman to seal the minutes because divulgence of the information in the minutes would most likely adversely affect the reputation of the individuals discussed during the session. Dr Woodward seconded the motion. The motion to seal the minutes for the non-public session was unanimous. With 2/3 of the members present having voted YES, the motion carries and the non-public minutes are sealed.

ADJOURNMENT: Representative Merchant made an undebatable motion to adjourn

