

PRESCRIPTION DRUG AFFORDABILITY BOARD MEETING

Monday, January 27, 2025

Minutes- Corrected 3/24/25

Dr. Eberechukwu Onukwugha, designated acting chair, called the meeting to order at 2:01 p.m.

Board Members present: Gerard Anderson, Ph.D., Eberechukwu Onukwugha, MS, Ph.D., Joseph Levy, Ph.D., Stephen Rockower, MD

AGENDA ITEM 2

Approve November 25, 2024 Meeting Minutes

Dr. Onukwugha asked for a motion to approve the November 25, 2024 meeting minutes as submitted. Dr. Rockower made the motion, which Dr. Anderson seconded, and the Board unanimously approved the minutes at 2:03 p.m.

Action: Minutes APPROVED.

AGENDA ITEM 3

Opportunity for Public Comment

Christina Shaklee, Health Policy Analyst, advised that four written comments were received, provided to the Board and posted to the website.

Four people registered to provide oral comment, with one person unable to attend. The following people provided oral public comment:

1. Dr. Janie Abernathy, Primary Care Provider, Agenda Item V
2. Lenoard Lucci, Consumer, Agenda Item V
3. Peter Maybarduk, Public Citizen, Agenda Item V

AGENDA ITEM 4

Final Action—Amendments to COMAR 14.01.04.05 Cost Review Study Staff Presentation

Dr. York presented the Final Proposed Amendments to the Cost Review Study- COMAR 14.01.04.05 Regulations presentation which is posted on the Board page of the PDAB website.

Dr. York provided an overview of the regulations process and an overview of the amendments:

14.01.04.05B(2) Analyses and Data Compilation with a summary of comments on those proposed amendments;

14.01.04.05(C)(1) Factors Considered in Cost Review Study with a summary of comments on those proposed amendments; and

14.01.04.05D, 14.01.04.05F, and 14.01.04.05G, with a summary of comments on proposed amendments to 14.01.04.05F and 14.01.04.05G.

Dr. Onukwugha asked for a motion to adopt as final the proposed amendments to COMAR 14.01.04.05 Cost Review Study, as published in the November 1, 2024 issue of the Maryland Register. Dr. Rocker made the motion, which Dr. Anderson seconded. Dr. Onukwugha then entertained discussion on the motion.

With no opposition, the Board unanimously approved the Final Action- Amendments to COMAR 14.01.04.05 Cost Review Study as submitted.

Action: Final Action—Amendments to COMAR 14.01.04.05 Cost Review Study APPROVED as submitted.

AGENDA ITEM 5

Cost Review Study

a. Staff Presentation—Overview of Cost Review Study Process and Opportunities for Public Input

Dr. York provided a verbal update regarding the Cost Review Study process. The Board staff is planning to publish on its website analyses and data elements and seek public input on these materials.

b. Closed Session—To Consult with Counsel and Receive Legal Advice Regarding Cost Review Study, under GP § 3-305(b)(7)

Dr. Ebere Onukwugha asked for a motion to close the session under General Provisions § 3-305(b)(7), Annotated Code of Maryland, to receive legal advice from counsel and to maintain confidentiality and attorney client privilege in closed session.

Dr. Anderson moved to close the session and Dr. Rockower seconded the motion. Dr. Onukwugha, Dr. Anderson, Dr. Rockower, and Dr. Levy voted to close the session. No Board member opposed the motion. Closed session commenced at 2:37 p.m. via Zoom breakout session.

SUMMARY OF CLOSED SESSION

Pursuant to General Provisions § 3-305(b)(7), Annotated Code of Maryland, on January 27, 2025 at 2:37 p.m. the Board met in closed session to receive legal advice from counsel concerning the cost review study process.

Dr. Onukwugha, Dr. Anderson, Dr. Rockower, Dr. Levy, AAG McDonald (counsel), Dr. York (Executive Director), and Ms. Shaklee (staff) attended the closed session. AAG McDonald provided the Board with legal advice concerning an aspect of the cost review study process. No actions and no votes were taken in the closed session.

AGENDA ITEM 6

Administrative Update

- Comments on the proposed regulations for the Policy Review Process are due on February 10, 2025.
- The next PDASC meeting will be held on February 24, 2025, at 2:00 p.m.
- The next Regularly scheduled Board meeting is on March 24, 2025 at 2:00 p.m.
- Ad-Hoc Board meetings may be scheduled.
- Christina Shaklee provided a verbal overview of legislation updates.

AGENDA ITEM 7

Adjournment

Board Member, Dr. Onukwugha asked for a motion to adjourn the meeting. Dr. Anderson made a motion to adjourn, which was seconded by Dr. Rockower.

Adjourned at 3:10 p.m.