

**PRESCRIPTION DRUG AFFORDABILITY BOARD**  
**VIRTUAL MEETING**  
**Monday, September 27, 2021**  
**Minutes**

Chair Van Mitchell called the meeting to order at 2:02 p.m.

**Board Members present:** Van Mitchell, Joseph Levy, PhD, Eberechukwu Onukwugha, MS, PhD, Gerard Anderson, PhD, and Renee Bovelle, MD.

**AGENDA ITEM 1.**

**Approval of minutes**

Chair Mitchell asked for a motion that the July 26, 2021, minutes be approved as submitted. Dr. Anderson made a motion to approve the minutes, which was seconded by Dr. Levy and unanimously approved.

**AGENDA ITEM 2.**

**Approval of minutes**

Chair Mitchell asked for a motion that the August 17, 2021, minutes be approved as submitted. Dr. Anderson made a motion to approve the minutes, which was seconded by Dr. Levy and unanimously approved.

**AGENDA ITEM 3.**

**Administrative Updates**

Andrew York introduced the Board's newest staff member, Michele McDonald, who will serve as an Assistant Attorney General for the Maryland Prescription Drug Affordability Board. Ms. McDonald also addressed the Board to introduce herself.

**No Action Needed**

**AGENDA ITEM 4.**

**Ethics Presentation**

Next, the Board received a presentation from the State Ethics Commission. Jennifer Allgair and William Colquhoun, both from the Commission, provided a general overview of state ethics laws and addressed certain suggested questions submitted by Board staff. The Commission noted that in addition to State Ethics laws, the Board has separate, additional requirements in its statute. The presenters noted that questions should be addressed to the Board's counsel first, and then elevated to the Commission, if necessary.

The Commission's representatives then addressed a series of situations that may implicate ethics, including restricted participation because of personal interests, secondary employment, or other financial interests; prohibitions on using prestige of office for personal interests; and prohibitions and reporting requirements on gifts.

## **No Action Needed**

### **AGENDA ITEM 5.**

#### **Prescription Drug Affordability Board Analytics Group**

The Hilltop Institute and the University of Maryland's School of Pharmacy (collectively, the "Analytics Support Group") provided an overview of the analytical and clinical work they have provided to the Board thus far. The Analytics Support Group noted that they are assisting with the overview of the Maryland pharmaceutical system and identifying products that create affordability challenges. The analysis, currently, is limited to state Medicaid data, but the steps and processes being developed will be applied to larger data sources as they become available.

Focusing on Medicaid drug spending and utilization, the Analytics Support Group identified three groups for analysis: Top 25 NDCs by spending, Top 25 Drugs by spending, and Top 25 Therapeutics Classes by spending (listing both the Top 3 NDCs and drugs within each class). Reviewing the complex process to establish these approaches, the Analytics Support Group weighed the differences between granularity and data aggregation, noting that they aggregated by disease state, but included specific examples of certain high-cost drug products. The Group noted that the Top 25 drug classes cover 70% of the annual pharmacy spend and noted the implications of measuring high-cost drugs and high-volume drugs.

Board members noted an interest in certain analysis, including trend analysis, cost-per-year to person/program, out-of-pocket spending, estimated rebate data, updated analysis with 2021 data, more information and analysis at the individual patient level, and physician-administered claims. Mr. York concluded the presentation by noting Board staff and the Maryland Health Care Commission continue to work together on issues limiting access to the Maryland Medical Care Database.

## **No Action Needed**

### **AGENDA ITEM 6.**

#### **Prescription Drug Affordability Fund - Update**

Mr. York provided an update on the assessment process, noting that approximately 1,500 invoices were mailed out to presumed qualifying entities. The mailed packets included a cover letter, the invoice/assessment, a FAQ page, and forms to submit waivers and exemptions. Mr. York explained that while the statute that created the Prescription Drug Affordability Fund provides a set deadline for payment, no late fees are anticipated this first year of the assessments, absent some bad faith actions.

## **No Action Needed**

### **AGENDA ITEM 7.**

#### **Opportunity for Public Comment**

No person or group reached out to PDAB staff to register for an opportunity to provide public comment.

**No Action Needed**

**AGENDA ITEM 8.**

**Chair's Update**

The Chair thanked Board staff for its work, but noted an incorrect date in the September Agenda. The next regularly scheduled Board meeting will be held on November 22, 2021 – not November 27, 2021 (as incorrectly stated in the Agenda).

**No Action Needed**

**Adjourned at 3:38 p.m.**