HDA
Healthcare Distribution Alliance
HEALTH DELIVERED

June 30, 2023

Maryland Prescription Drug Affordability Board
16900 Science Drive, Suite 112-114
Bowie, MD 20715

Healthcare Distribution Alliance Comments
Re: §14.01.03.01-05 v.2.0, the Maryland Prescription Drug Affordability Board Cost Review Process

On behalf of the Healthcare Distribution Alliance (HDA), the national trade association representing 34 healthcare wholesale distribution companies, we would like to thank you for the opportunity to provide additional comments on **the second draft of proposed rules §14.01.04.05 v.2.0- Cost Review Process**. HDA members are the backbone of the U.S. healthcare ecosystem, serving as the vital link distributing essential products from 1,500 pharmaceutical manufacturers to more than 330,000 individual pharmacies, hospitals, healthcare facilities and other sites of care nationwide.

Respectfully, HDA offers the following comments for consideration:

- To avoid unnecessary disruptions and costs to the supply chain and to ensure the PDAB focuses on drugs which represent a true affordability challenge, HDA believes it is essential that only drugs which have thoroughly met all the eligibility requirements undergo any ultimate cost review process. While that does seem to be the goal and intention of the current drafted rules, adding further clarifying language throughout the rules would be beneficial- particularly, language emphasizing that:
    - Only drugs which have met the eligibility requirements can be referred to the Stakeholder Council.
    - Any drug placed on the final list for the cost review process must have been referred to and reviewed by the Stakeholder Council.

- We would also request that language be added to Section *.04 A. Request for Information* which makes it explicit that distributors, HMOs, and MCOs will also be contacted directly

with requests for information, in addition to any such notices being posted on a website:

> (4) The Board may also post notice of the request for information on its website.
> (5) The Board may request data and information from wholesale distributors, HMOs, and MCOs by sending an email or postal mail to the entity.

- Many distributors carry a select range of pharmaceuticals, so some drugs reviewed by the Board may not be relevant to certain distributors and they would have no insights to share. To help both the Board and industry streamline the data collection process, we request the following or similar language be added to *Section .04 C- Submission of Information:*

> 1) An entity may submit the information requested in § A by:
> (i) Completing the data form provided by the Board; and
> (ii) Providing supporting documentation.
> (iii) Marking a "not applicable" box included by the Board on the data form.

- Finally, we would suggest the inclusion of timelines so industry can know when to expect data collection requests. For example, that all requests for information be posted and delivered in a certain quarter(s) of each year, rather than on a rolling basis which could cause some requests to inadvertently be missed by reporting entities.

We thank the Board for their ongoing consideration, and HDA is happy to serve as a resource at any time as the Board continues the rulemaking process. Please contact Kelly Memphis at kmemphis@hda.org or 443.375.6541 for any further discussion.

Sincerely,

Kelly Memphis
Director, State Government Affairs
Healthcare Distribution Alliance