

**MARYLAND PRESCRIPTION DRUG AFFORDABILITY STAKEHOLDER COUNCIL
VIRTUAL MEETING
Monday, October 23, 2023
Minutes**

Agenda Item 1

Call to Order:

Co-Chair Lorriane Diana called the meeting to order at 2:01 PM.

(Roll Call) Stakeholder Council Members present: Angela Bryant, Steven Chen, Lorraine Diana, Jim Gutman, Deron Johnson, Greta Kessler, Barry Lipsy, Eric Morse, Marc Nicole, Hayley Park, Mandi Poplawski, Kimberly Robinson, Glenn Schneider, Kelly Schultz, Sean Tunis, Joseph Winn

Agenda Item 2

August 28th Meeting Minutes

Co-Chair Diana asked for a motion to approve the August 28, 2023 meeting minutes as submitted. Deron Johnson made the motion, which Jim Gutman seconded, and the Stakeholder Council approved the minutes. One member abstained from the vote.

Action: Minutes APPROVED

Agenda Item 3

Opportunity for Public Comment

- Prior to the meeting, two written comments were received, provided to all PDASC members and posted to the Stakeholder Council page on the Board's website.
- Having registered to provide oral comment in advance of the meeting, Tiffany Westrich-Robertson, International Foundation for Autoimmune & Autoinflammatory Arthritis, addressed the Stakeholder Council on upper payment limits (agenda item 4).

Agenda Item 4

Upper Payment Limit Action Plan Update and Presentation

- Executive Director Andrew York provided a sample framework for establishing an Upper Payment Limit. This presentation was similar to what was presented to the Board during the September 18, 2023 meeting and incorporated feedback from the Board. The presentation focused on how to identify drugs for which a UPL may be appropriate, how to set a UPL, and how to apply a UPL. Dr. York discussed options for determining which drugs are appropriate for an UPL such as evaluating manufacturer market power or the

gross-to-net bubble. Executive Director York also discussed how the Board may set UPLs by reviewing other countries' UPL decision-making and other methodologies such as drug payment systems, efficiency frontiers, modifications after assessments such as budget assessments, rate of return, and penalties for anticompetitive behavior. Dr. York further discussed the various ways a UPL may be implemented such as payment amounts, rebates, and charge-backs and detailed the pros and cons of each implementation strategy.

- The PDASC asked questions and had a robust discussion on the possible UPL framework based on Dr. York's presentation.
- The presentation is available on the Stakeholder Council page on the PDAB website.
- Dr. York reiterated that continued comments and feedback are encouraged.

Agenda Item 5

Administrative Update

- Dr. York reminded the Stakeholder Council that the comment period is closing on the proposed regulations (COMAR 14.01.04 Cost Review Study Process and COMAR 14.01.01 General Provisions).
- Dr. York introduced a new PDAB staff member, Krishna Dutt, Health Policy Data Analyst.

Agenda Item 6

- Co-Chair Diana welcomed Angela Bryant, representing pharmacies to the PDASC.
- Co-Chair Diana reminded council members that attendance at PDASC meetings is important. Each member was appointed based on the member's knowledge and expertise. A failure to attend meetings impairs the Council's ability to conduct business due to the lack of a quorum. Attendance is tracked and an ongoing failure to attend meetings may result in further action.
- The next PDASC meeting will be on December 18, 2023 at 2:00 PM.

Agenda Item 7

Adjournment

Co-Chair Nicole thanked everyone for their attendance and asked for a motion to adjourn the meeting. Deron Johnson proposed to ask a process question, which Co-Chair Nicole permitted. Mr. Johnson inquired whether the time allotted for each public comment could be longer, and whether members of the Stakeholder Council could question the commenter. Co-Chair Nicole advised that the issue would be discussed with staff. Kelly Shultz seconded Mr. Johnson's question. Because no motion was pending, no second was required. Co-Chair Nicole again asked for a motion to adjourn. Deron Johnson made the motion which was seconded by Kelly Shultz.

Adjourned at 3:05 PM.