PRESCRIPTION DRUG AFFORDABILITY BOARD MEETING

Monday, May 18, 2026
Miller Senate Building, William Amoss Room, 4th Floor 11 Bladen Street, Annapolis, MD 21401
and Livestreamed Via Zoom
Meeting Minutes

AGENDA ITEM 1

Call the Meeting to Order
Chair Van Mitchell called the meeting to order at 2:00 PM
Board Members present: Van Mitchell, Stephen Rockower, M.D., Georges C. Benjamin, MD, MACP, Gerard Anderson, Ph.D.

AGENDA ITEM 2

Minutes and Corrections

a. **March 23, 2026 Meeting Minutes**

Chair Mitchell requested a motion to approve the March 23, 2026 meeting minutes. Dr. Rockower made the motion and Dr. Benjamin seconded. The Board voted to approve the motion 4-0 (Dr. Slejko, absent).

ACTION: March 23, 2026 Minutes; APPROVED

b. **April 13, 2026 Meeting Minutes**

Chair Mitchell explained that there were corrections to the draft April 13, 2026 minutes. Chair Mitchell stated that the Board considered a motion "to make a final determination that the use of Jardiance has created an affordability care system." Chair Mitchell requested that the draft minutes be corrected to reflect the Board's understanding that "the motion of the final determination was to make a final determination that use of Jardiance has created an affordability challenge to the State health care system under the three identified circumstances." There were no objections to that change. Chair Mitchell then proceeded to correction two and explained that "there is a scrivener's error in the final cost review study report and direct the Executive Director and staff to correct the final cost review study report to properly reflect what occurred at the meeting, specifically, that with respect to Jardiance, no discussion of the submitted public comments occurred." There were no objections to that change.

Chair Mitchell then proceeded to ask for a motion to adopt the minutes as corrected. Dr. Rockower made the motion which was seconded by Dr. Benjamin. The Board voted to approve the motion 4-0 (Dr. Slejko, absent).

ACTION: April 23, 2026 Minutes; APPROVED

AGENDA ITEM 3

Opportunity for Public Comment

Four entities submitted written comments that have been provided to the Board and posted to the website. Four people provided oral public comment today:

1. Jim Gutman, AARP, Agenda Item III
2. Derek Flowers, Value of Care Coalition, Agenda Item: VI, VII
3. Benjamin Schmitt, Howard County Education Association, Agenda Item IV
4. Tiffany Westrich-Robertson, EACH/PIC Coalition, Agenda Item IV

AGENDA ITEM 4

Ozempic - Final Affordability Challenge Determination

Executive Director York gave a presentation on the Ozempic- Cost Review Study Report. This presentation and supporting documents are posted on the Board page of the website. Dr. York reviewed the actions of the Ozempic Cost Review Study to date, and then explained the tasks required of the Board to make a final determination of the affordability challenge for Ozempic and the vote on the final Cost Review Study Report, which will occur during Agenda Item 6A. Dr. York reviewed the comments received on the draft cost review study report and staff's recommendations regarding those comments.

Chair Mitchell then proceeded to ask for a motion to adopt as final the determination that use of Ozempic has created an affordability challenge to the state health care system under the identified circumstance. Dr. Anderson seconded the motion. The Board then proceeded to discuss the determination.

Dr. Benjamin noted the comment about patient out-of-pocket costs and observed that a reduction in prices improves the overall situation. Dr. Rockower noted the Board's dual purpose–to make

prescription drug products affordable to patients and to the State health care system. Dr. Anderson observed that the Board learned, from the comments made by the Howard County representative today, about the difficult choices that local governments have to make about what prescription drug products to cover based on price. Dr. Anderson also explained that the Board has estimated net prices which are helpful in this analysis.
The Board voted to approve the motion 4-0 (Dr. Slejko, absent).

ACTION: Adopt as final the determination that the use of Ozempic has created an affordability challenge to the state health care system under the single identified circumstance; APPROVED

AGENDA ITEM 5

Staff Recommendations to Update the Cost Review Study Process and Policy Review Process Regulations

Dr. York explained that staff is working on updating the Cost Review Study Process and Policy Review Process regulations based on feedback received and the experience with the first round of cost reviews. A draft version of COMAR 14.01.04- Cost Review Study Process, was posted for public comment on May 1, 2026, with comments being due on June 1, 2026. The regulations are still subject to the APA process.

Dr. York gave a presentation on the draft version of the regulation, COMAR 14.01.04, including the incorporated feedback from the public and the stakeholder council, and the staff proposed key changes to date. This presentation and draft regulations are posted on the Board page of the website. The Board had the opportunity to discuss the presentation and they provided some feedback to the staff proposed changes. There was discussion around a curated list for drugs during selection and the appropriate length of time to allow for public comment.

AGENDA ITEM 6

Ozempic - Consideration of Final Cost Review Study Report, Policy Review, and UPL

a. **Final Cost Review Study Report**

Dr. York explained the various revisions and read into the record additional language for inclusion in the final cost review study report. AAG Michele McDonald made one correction to the COMAR citation in Dr. York's updated revision on page 10, section 8.
Chair Mitchell made a motion to adopt as final the cost review study report with the

identified revisions and updates that staff just explained. Dr. Anderson seconded the motion. The Board had the opportunity to discuss the motion and Dr. Anderson asked for clarity around the reference to "State Health System" and "State and Local Health System." It was explained that the reference tracks the statute as well as the circumstance identified. The Board voted to approve the motion 4-0 (Dr. Slejko, absent).

ACTION: Adopt as final the cost review study report for Ozempic with identified revisions and updates; APPROVED.

b. Non-UPL Policies

Executive Director York gave a presentation of the Non-UPL Policies that could be considered for Ozempic. Presentation on the Patient Navigator program was omitted as the Board has already approved it. Dr. York provided information and sample timelines for the following Non-UPL policies: GLP-1 study, Plan Design and PBM reform study, Bulk Purchasing/Subscription Model, and State Participation in CMMI models: BALANCE and GENEROUS. This presentation and supporting documents are posted on the Board page of the website.

After the presentation on the four Non-UPL policies, the Board had the opportunity to discuss. Dr. Anderson was concerned about capacity of staff and suggested they prioritize the policies. Dr. Anderson also expressed concern about the heavy lift of studying PBM reform. Dr. Anderson noted that it is an important topic but bulk purchasing may be easier to study. Dr. Anderson suggested focusing on bulk purchasing over PBM reform.

Chair Mitchell made a motion to adopt the slate of Non-UPL policies in the following priority order: GLP-1 Study, Bulk Purchasing/Subscription Model, Plan Design and PBM Reform Study and State Participation in CMMI models: BALANCE AND GENEROUS. Dr. Anderson seconded the motion. The Board voted to approve the motion 4-0 (Dr. Slejko, absent).

ACTION: Adopt Slate of NON-UPL policies for Ozempic in the following order: GLP-1 Study, Bulk/Purchasing Subscription Model, Plan Design and PBM Reform Study, and State Participation in CMMI Models: Balance and GENEROUS; APPROVED

c. Proposed UPL Rules - COMAR 14.01.07.02

Using a presentation, Dr. York walked the Board through the consideration of an upper payment limit for Ozempic. Dr. York explained the UPL chronology, as well as the UPL decision structure. Dr. York reviewed the public comments received on the draft UPL regulation, COMAR 14.01.07.02, and staff's recommendations regarding those comments. Dr. York walked the Board through guiding principals and criteria for the Board to consider when deciding to set an upper payment limit (slides 13-24). This presentation and supporting documents are posted on the Board page of the website.

Chair Mitchell made a motion to establish Upper Payment Limit for Ozempic by adopting COMAR 14.01.07.02 as drafted and authorizing staff to submit it for review and publication in accordance with the Maryland Administrative Procedure Act. Dr. Anderson seconded the motion. The Board had the opportunity to discuss the motion; however, they noted that multiple discussions had taken place already and confirmed that it was an appropriate tool. The Board voted to approve the motion 4-0 (Dr. Slejko, absent).

ACTION: Establish Upper Payment Limit for Ozempic by adopting COMAR 14.01.07.02 as drafted and authorizing staff to submit it for review and publication in accordance with the Administrative Procedure Act; APPROVED

AGENDA ITEM 7

Recommended Revision to Board Adopted Proposed- COMAR 14.01.07.01

Dr. York proceeded to explain that language was added to COMAR 14.01.07.02 for automatic suspension. When the Board voted on COMAR 14.01.07.01 for Jardiance that language was not included. Dr. York recommended that the Board add the automatic suspension language to COMAR 14.01.07.01 for Jardiance. The supporting documents are posted on the Board page of the website.

Chair Mitchell made a motion to adopt revision to previously adopted COMAR 14.01.07.01 and authorize staff to submit COMAR 14.01.07.01 as revised for review and publication in accordance with the Administrative Procedure Act. Dr. Anderson seconded the motion. The Board voted to approve the motion 4-0 (Dr. Slejko, absent).

ACTION: Adopt revision to previously adopted COMAR 14.01.07.01 and authorize staff to submit COMAR 14.01.07.01 as revised for review and publication in accordance with the Administrative Procedure Act; APPROVED.

AGENDA ITEM 8

340B Report Pursuant to HB1056 (2024) - Staff Presentation

Dr. York provided an update on the 340B report that is due to the legislature on July 1, 2026. Dr. York explained that staff has requested 340B data from 340B entities and information from that data call is due on June 15, 2026. PDAB staff still plan to submit the report by July 1, 2026. Chair Mitchell explained that a request for an AD-HOC Board meeting was made for June 30, 2026 to vote on the 340B report.

AGENDA ITEM 9

Administrative Update

- The next regularly scheduled PDAB meeting is July 27, 2026. It has not been confirmed if that meeting is in person or virtual
- Dr. York explained that budget closeout is occurring and an update will occur at a future meeting.

AGENDA ITEM 10

Chair's Update

- Chair Mitchell gave an update on staffing, legislative budget approvals, and reserve funding.
- Chair Mitchell explained the PDAB is involved in its first OLA audit.
- Chair Mitchell gave an update on the office lease which has yet to be finalized.
- Chair Mitchell explained that he would like to step down from the Board after almost six years. His letter was given to the presiding officers on May 1, 2026. The Board Chair appointment is a joint appointment between the Senate President and Speaker of the House.
- Ms. Shaklee stated that the next PDASC meeting will be on June 22, 2026.

AGENDA ITEM 11

Adjournment

Chair Mitchell made the motion to adjourn, which was seconded by Dr. Rockower.

Adjourned at 3:26 PM