



Janet T. Mills  
Governor

STATE OF MAINE  
Maine Prescription Drug Affordability Board  
61 State House Station  
Augusta, ME 04333-0061

Dr. Noah Nesin  
Chair

**Maine Prescription Drug Affordability Board  
Monday January 29, 2024 @ 10:30 am  
Microsoft TEAMS Meeting**

**In Person Location:** Burton M. Cross Building, Augusta, Maine - Room 400, 4th Floor, ME

Board Members in Attendance: Peter Hayes, Dr. Noah Nesin, Jennifer Reck, Dr. Julia Redding, Sharon Treat, Dr. Kelsie Snow, and Dr. Susan Wehry.  
(Total = 7)

Board Members Absent: Rhonda Selvin.

Vacant Seat(s): 0

Others Present:

Advisory Council: Jennifer Kent, Anne-Marie Toderico, Jonathan French, Heather Perreault, and Shonna Poulin Gutierrez.

Employee Health & Wellness: Devon French, Roberta DuPont, Emma-Lee St. Germain, and Charles Luce.

All Others: Meg Garratt-Reed, Drew Gattine, Amanda Attiya, Tim McSherry Brenna Moreno, Chris Feeney, and Erin Fitzpatrick.

| Agenda Item:  | Discussion:  | Action/Next Steps:   |
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| <b>I. Call to Order (10:34 am)</b>                      | Dr. Noah Nesin called the meeting to order.  |  |
| <b>II. Introductions</b>                                |  |  |
| <b>a. Introductions</b>                                 | Information contained in written reports; highlights and discussion noted below: <ul style="list-style-type: none"> <li>No items were brought to the board.</li> </ul> |  |
| <b>III. Approval of the Minutes (November 27, 2023)</b> |  | <i>Dr. Jennifer Reck</i> made a motion to approve the meeting minutes for November 27, 2023. <i>Dr. Sharon Treat</i> seconded the motion. The motion passed. |
| <b>IV. Monthly Business</b>                             |  |  |
| <b>a. Discussion of the Board's future</b>              | Information contained in written reports; highlights and discussion noted below: <ul style="list-style-type: none"> <li>No items were brought to the board.</li> </ul> |  |



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**V. Advocacy**

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| <b>a. Advocacy</b> | Information contained in written reports; highlights and discussion noted below:<br><br>• No items were brought to the board. |  |
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**VI. Other Business**

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| <b>a. Report to Legislature and Proposed Changes to Charge of Board</b><br>– <i>Meg Garratt-Reed</i> | Information contained in written reports; highlights and discussion noted below:<br><br><b>Meg Garratt-Reed states:</b> Senator Reny, was introduced during the last session, L.D. 1829, moved forward with submitting an amendment to effectively replace the text of that original bill with language from the recommendation that we sent her.<br><br><b>Sharon Treat states:</b> There was some language that we proposed that still needs to be fixed up so that the committee sees the full amendment, however it was just a sentence that was missing. They did move forward with another prescription drug bill dealing with rebates, so they seem interested in the subject matter.<br><br><b>Peter Hayes asks:</b> Do we think there's a good possibility it will get traction going forward or too hard to predict?<br><br><b>Meg Garratt-Reed responds:</b> Typically, the rest of legislature is somewhat deferential, so I'm certainly not trying to predict one way or another, but I'm optimistic.<br><br><b>Sharon Treat states:</b> We didn't have a chance to talk to the Senate chair, however it seems to have support within the committee and in terms of the original bill, it might have been a bigger lift in terms of getting support because it was making things happen right away.<br><br><b>Sharon Treat suggests:</b> What would be helpful for us would be to contact the members of the chairs of the committee, especially if one of them is a representative or senator, to express interest to Congress. | <b>Dr. Noah Nesin asks:</b> We're leaving messages for legislative support on the proposed amendment to L.D. 1829, correct?<br><br><b>Sharon Treat responds:</b> Yes.<br><br><b>Dr. Noah Nesin states:</b> Meg Garratt-Reed and I will work on drafting an annual report to include in support of this. |
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|                                  | <p>The work session is tomorrow so if anyone can make a call before then that would be useful. After the work session, we'll have a better sense of whether they've voted, if there's any issues, if they're divided, or unanimous.</p>  |  |
| <p><b>b. Open Discussion</b></p> | <p>Discussion highlights below:</p> <p><b>Peter Hayes asks:</b> I know where we're pushing the legislation forward, but what is our work plan for 2024?</p> <p><b>Noah Nesin responds:</b> I feel like we're in a holding pattern pending this legislation because our charge changes based on this legislation which is what we have been focused on. I am open to suggestions or thoughts</p> <p><b>Jennifer Reck states:</b> I think that makes sense.</p> <p><b>Sharon Treat states:</b> If the issue of budget comes out of committee it's going to be that that we will require a certain amount of contact between members of the board and members of the Appropriations Committee or Governor's office to make that happen.</p> <p><b>Noah Nesin states:</b> Because the legislation outlines a lot of specific steps to take initially in terms of the first report under that one new charge the next step would be reaching out for opportunities for advocacy.</p> <p><b>Peter Hayes asks:</b> I don't know if Jennifer Reck has an update from what The National Academy for State Health Policy (NASHP) might be doing in the different States to address some of these issues, so at least we could have some ideas percolating about what other States are contemplating doing.</p> <p><b>Jennifer Reck responds:</b> I don't think there is anything major we haven't addressed. I would be happy to walk through legislative national</p> | <p><b>Peter Hayes asks:</b> If you want us to advocate for L.D. 1829, what should we communicate to all the committee members and chairs?</p> <p><b>Dr. Julia Redding asks:</b> Would someone be kind enough to send out a little script that we could finesse on our own?</p> <p><b>Sharon Treat responds:</b> I can work on a 3 liner and send it to Devon French to distribute.</p> |



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viewpoint activity around Prescription Drug Affordability Boards (PDAB). I can say that there continues to be a lot of activity around prescription drug affordability boards that have the upper payment limit of authority as part of their mandate.

Colorado and Maryland are moving forward with that and may have an upper payment limit this year.

There are approximately 12 states that are considering bills for new prescription drug affordability forwards, and there may be some momentum regarding the proposed bill.

**Peter Hayes asks:** Is there anything going on with 340B around more transparency?

**Jennifer Reck responds:** Yes, there are a number of States that are implementing some form of 340B transparency measures. Maine as well as Minnesota, Washington and Connecticut have a work group now looking at 340B transparency and we are seeing some bills being introduced on this session. Most recently we saw a bill in Indiana to advance 340B transparency.

**Peter Hayes asks:** Has there been any effort to redirect the dollars directly to charity care or to throttle down what the funds are used for?

**Jennifer Reck responds:** It's playing out a little bit more slowly than that. We're in the transparency phase in terms of understanding the flow of dollars a little bit more. That's the long-term intent or strategy, but we're not quite there yet.

**Peter Hayes asks:** Has there been any thoughts about limiting the international reference pricing and possibly putting a maximum markup on 340B drugs for any of the systems?

**Jennifer Reck responds:** I haven't seen any kind of State legislation to that end, and that might be outside of State authority.



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|                                       | <p><b>Jonathan French asks:</b> Going back to the L.D.1829 - Is there a printed version of that amendment that could be distributed to the Advisory Council?</p> <p><b>Sharon Treat responds:</b> Yes. It was sent out to people that are registered with the committee. I'm sure Meg has a copy as well, so we'll make sure that it gets to someone who has everyone's address.</p> <p><b>Devon French states:</b> I can take care of that.</p> <p><b>Dr. Noah Nesin states:</b> We want to make sure that what we're proposing includes Jennifer's amendment to the amendment.</p> <p><b>Meg Garratt-Reed states:</b> I've been trying to think about how we could categorize broadly some proposals in similar areas because even if there's some technical differences, I think there's a lot of similar.</p> <p>Areas for consideration or places where we can dig a deeper would include upper payment limits/reference-based pricing, 340B, purchasers strategies, Pharmacy Benefit Managers, and consumer relief options that are less about straining prices overall and more about thinking about impact on consumers.</p> <p>I'd like to chat with Jennifer Reck about what that could look like but knowing that there are issues of mechanics and how those programs can operate, it would be interesting to discuss with this group and see what suggestions that we could take a step forward with.</p> <p><b>Jennifer Reck states:</b> I'd be happy to talk about that.</p> |   |
| <p><b>VII. Adjourn (11: 05am)</b></p> |   | <p><i>Sharon Treat</i> made a motion to adjourn; <i>Jennifer Reck</i>, seconded the motion. The motion passed. Meeting adjourned.</p> |

**Next meeting: March 25, 2024**