

## NH Prescription Drug Affordability Board

### In-person / Remote Hybrid Meeting

Meeting December 18, 9:30 A.M.

**NOTE:** This meeting was recorded. All related documents (and a recording of the entire meeting) are available at: [New Hampshire Prescription Drug Affordability Board | New Hampshire Department of Health and Human Services \(nh.gov\)](https://www.nh.gov/health-and-human-services)

**CALL TO ORDER:** Representative Gary Merchant called the meeting to order at 9:36 A.M.

**ATTENDING:** In person: Representative Gary Merchant, Robert Woodward, Senator Cindy Rosenwald, Jason Aziz. Gary Merchant elevated Jason Aziz to full member to establish a quorum. Tom Sherman arrived at 9:55 A.M. Virtual: Todd Fahey.

**ABSENT:** Senator Daryl Abbas, Representative Jess Edwards, Senator Sharon Carson, Representative David Nagel.

**AGENDA REVIEW:** Senator Cindy Rosenwald asked that public comments be moved up to the beginning of the agenda, to which Representative Merchant agreed.

**PUBLIC COMMENTS:** Donald Kreis, NH Consumer Advocate, spoke on behalf of himself and his daughter, Rose, in regards to the current cost of prescription drugs. He wanted reiterate how important the Board's work is to them. He spoke about being involved with the Institute for Clinical and Economic Review (ICER), and how it relates to Rose's pharmacy bill, which annually, is significantly higher than his annual salary, stating that her drugs for cystic fibrosis can cost hundreds of thousands of dollars. Donald implored all to not let the General Court abolish the Board, and stated he will be an ally to the Board when needed. Rose also spoke to the Board. She stated how grateful she was that NH has a drug affordability board. She spoke about the pharmaceutical company that manufactures an essential cystic fibrosis drug, and how they have "leveraged their monopoly to set an unconscionably high price". She stated that ICER's opinion of the drug price was that even if it cured cystic fibrosis, would still be too high. She expressed concern over the pressure to shut down the Board; that those whose interest is primarily in the manufacturing side will try to convince the public that the PDAB is a threat to consumers, which in fact she feels it is quite the opposite.

**APPROVE MINUTES OF THE OCTOBER 16 MEETING:** Senator Rosenwald made a motion to approve the minutes, seconded by Dr. Aziz. Motion passes via roll call, with all members voting in favor.

**LEGISLATIVE UPDATE:** Representative Merchant stated Tom Sherman will be arriving to the meeting around 9:55 to speak about the amendment to the bill in regards to conflict of interest. He spoke about two other bills, one in regards to missing the deadline to sign off on the LSR extending the length of time for the employment of the Executive Director and will be seeking guidance on how Mayo ow to amend that. The other is the biosimilar bill, and Amgen's concern with it. In summary, Representative Merchant would like to see this bill pass to improve market adoption and greater mobility between the biosimilars. Following the Mayo presentation, Tom Sherman spoke about the bill sponsored by Representative Edwards, LSR 2648, in reference to getting rid of all the changes to the conflict of interest, specifically the cohabitation aspect. Tom had told the Board previously he would review the language. Tom added Roman numeral III, to address the mechanism for which to replace a member who was found to be in conflict of interest. Tom sent the changes to Representative Edwards, who seemed to be in agreement, but was waiting to hear a final opinion about it.

**MAYO PRESENTATION:** Two Mayo Clinic pharmacists, Chelsea Jensen and Eric Tichy, presented a 30 page slideshow on Biosimilar Implementation and Optimization. Definitions of generics and bisomilars were reviewed, along with reference products. They continued to speak about strategies for adoption and the barriers and potential barriers to adoption and reimbursement. Both video of this presentation and the full Powerpoint file are available for review on the Board website as noted, above.

**EXECUTIVE DIRECTOR UPDATE:** Rob Berry updated the board that the position will be heard the following Wednesday at Governor and Council (G & C). Following the approval, the Board can begin the onboarding process.

**ADVISORY COUNCIL UPDATE:** Tom Sherman suggested to the Board that they reach out to all of the entities that would be on the advisory council to inform of the statute and its goals and ask them to serve or designate someone, and then identify them. The Board agreed, once identified, they will need to meet with them and discuss strategy.

**DATE OF FUTURE MEETINGS:** Representative Merchant reviewed the dates of the future Board meetings. The next one will be January 29, 2024, then the 4<sup>th</sup> Monday of each month after that.

Representative Merchant reviewed a few objectives he would like to see discussed with the Board in the coming months.

**ADDITIONAL PUBLIC COMMENTS:** Curtis Barry spoke about the difference between state employees' plans versus commercial plans, in reference to a bill Senator Rosenwald had mentioned briefly. The bill addresses what currently can and cannot count towards deductibles, such as coupons. Heidi Kroll provided more detailed information about the history off the bill and other bills that relate to it. A lengthy discussion ensued between the Board, Curtis Barry and Heidi Kroll regarding the opinions and details of the bill, and how it can be interpreted and how it relates to the Board's duties.

**ADJOURNMENT:** Representative Merchant adjourned the meeting at 11:50 A.M.

