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Report of the Maine Prescription Drug Affordability Board (2023)

The Maine Prescription Drug Affordability Board (MPDAB) was established in 2019 pursuant to [MRS Title 5 Chapter 167-1](#).

Mission: To determine annual spending targets for prescription drugs purchased by Maine public payers and make recommendations to achieve the targets.

Vision: Board recommendations will target strategies to achieve prescription drug affordability while maintaining safety and ensuring clinically appropriate use. The spending targets will be based upon a 10-year rolling average of the medical care services component plus a reasonable percentage for inflation and minus a spending target determined by the board for pharmacy savings. In addition, spending targets will be determined on specific prescription drugs that may cause affordability challenges to enrollees.

MPDAB 2023 Membership:

Board Member:	Title/Occupation:	Nominated by:
Noah Nesin, MD (Chair)	Medical Director for Research & Innovation, Community Care Partnership of Maine	Governor of Maine
Kelsey Snow, PharmD, MPH (alternate Chair)	Clinical Pharmacist, St. Joseph Hospital	Governor of Maine
Peter Hayes	President/CEO Healthcare Purchaser Alliance of ME	President of the Senate
Sharon Treat	Health Policy Consultant	President of the Senate
Jennifer Reck (Alternate)	Director National Academy for State Health Policy	President of the Senate
Susan Wehry, MD	Geriatrics, Primary Care University of New England	Speaker of the House
Julia Redding, DO	Family & Geriatric Medicine Maine Medical Partners	Speaker of the House
Rhonda Selvin, FNP (Alternate)	Family Medicine Groups Recover Together	Speaker of the House

Advisory Council Members:

Bethany Beausang, Governor's Office; Anne-Marie Toderico, PharmD, Pharmacy Director, Office of MaineCare Services; Kristy Gould, Maine Municipal Employee Health Trust; Jennifer Kent, Maine Education Association Trust; Kate Ende, Consumers for Affordable Health Care; Jonathan French, Maine Department of Transportation; Ryan Low, University of Maine System; Christina Moylan, Assistant Attorney General; Heather Perreault, Maine Deputy Commissioner of Finance; Shonna Poulin-Gutierrez, Executive Director Maine Employee Health and Wellness; Jeanne Lambrew, Commissioner Department of Health & Human Services

SECTIONS

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I. 2023 Overview

The MPDAB met 5 times during 2023 and transitioned from all virtual meetings to hybrid meetings (in person and online) after adopting a policy regarding in-person vs. virtual attendance. Topics covered by presentations and discussions during these meetings included:

- New members Kelsie Snow, PharmD and Sharon Treat were welcomed to the MPDAB.
- Finalizing spending targets
- Discussions of reference rates
- Ongoing discussions of 340B program
- Monitoring legislation and offering testimony on specific legislation
- Reports, presentations and resources from the Program on Regulation, Therapeutics and Law (PORTAL)
- Presentation and discussion of the drivers of prescription drug costs, including biologics, new weight loss drugs, and a discussion of potential savings from the use of biosimilar drugs.
- Discussions of changing the charge of the MPDAB to coordinate more closely with the Office for Affordable Health Care and to advocate for broadening the scope of the Board's authority beyond public purchasers and spending targets to include policy changes which impact consumer pricing.
- Review of the Maine Health Data Organization (MHDO) Drug Price Transparency Report

II. Welcoming the Executive Director of the Office of Affordable Health Care (OAHC)

In January of 2023 Governor Mills nominated Meg Garratt-Reed as the Executive Director for the newly formed Office of Affordable Health Care. Once in office, Ms. Garratt-Reed attended and participated in all MPDAB meetings. The members of the MPDAB welcomed her input and have a strong desire to align the work of the MPDAB and the Office to fulfill its mission most effectively and to support the mission of the OAHC.

III. Collaborating with Prescription Drug Affordability Boards in Other States

The MPDAB continued to participate in monthly meetings of a multi-state Prescription Drug Affordability Board work group, convened by the National Academy for State Health Policy (NASHP). MPDAB

member Sharon Treat and OAHCE Executive Director Garratt-Reed have attended on behalf of the MPDAB. The PORTAL team at Harvard Medical School Division of Pharmacoepidemiology and Pharmacoeconomics serves as subject matter experts and has grant funding to provide technical assistance to PDABs around the country including the MPDAB. Several PDABs are in the process of establishing the criteria for conducting affordability reviews with the goal of implementing upper payment limit (UPL) authority, including those in Maryland, Colorado, Minnesota, and Oregon. Of these state PDABs, Colorado is the first to select a drug and begin the process of setting an UPL.

IV. Legislative Testimony

The MPDAB Chair, Noah Nesin, presented testimony on two bills, LD1395 (related to 340B programs) and LD 1816 and LD 1829 (related to Medicare and Canadian price referencing).

V. Update from the Chair of the Maine Prescription Drug Affordability Board

Dr. Noah Nesin has resigned as chair of the MPDAB, effective April 1, 2024. Governor Mills has named Kelsie Snow, PharmD as the new Chair and Dr. Nesin will continue on as a member of the MPDAB.

VI. The future of the MPDAB

The Maine Prescription Drug Affordability Board is committed to collaborating and working closely with the Office of Affordable Health Care and the legislature in the interests of the people of the State of Maine. Our original charge was to “to determine annual spending targets for prescription drugs purchased by Maine public payers based upon a 10-year rolling average of the medical care services component of the United States Department of Labor, Bureau of Labor Statistics Consumer Price Index medical care services index plus a reasonable percentage for inflation and minus a spending target determined by the board for pharmacy savings” (see 2022 Annual Report) and to make other recommendations to the legislature (see item VII below).

The MPDAB has a strong desire to continue to contribute to efforts to significantly reduce pharmaceutical costs to health plans and to individuals in Maine. In order to accomplish those goals, we unanimously agreed to draft language to amend prescription drug cost control legislation that was carried over to the 2024 legislative session by the Health Coverage, Insurance and Financial Services Committee. We aim to work with the Legislature to broaden the scope of our work and to advocate for financial support to sufficiently staff the Office of Affordable Health Care in order to ensure the success of these efforts. The burden of paying for increasingly costly prescription drugs --whether it falls on public programs, private employers, or family budgets-- must be addressed, and we are enthusiastic about taking on more responsibility to do just that. However to be successful, the MPDAB must be sufficiently staffed and funded to carry out affordability analyses and implement policies to rein in those costs. The MPDAB is a volunteer board without its own staff or budget. The Office of Affordable Health Care has limited staff and lacks dedicated personnel and funding to support the PDAB’s work and prescription drug policy more generally. As we have urged in prior annual reports, we again ask the Legislature and Governor in the strongest possible terms to support both broader authority for the MPDAB and sufficient funding and staff, through the Office of Affordable Health Care, to support that work.

VII. Past recommendations of the MPDAB to the legislature

- a. In 2021
 - i. Waste Free Formulary for public payers
 - ii. Transparent pass through Pharmacy Benefit Manager (PBM) contract terms
 - iii. Reverse Auction PBM procurement model
 - iv. Institution of international reference rates
 - v. Prohibition of price gouging
 - vi. Penalties for unsupported price increases
- b. In 2022
 - i. Reiteration of the use of international reference rates
 - ii. Use of Medicare reference rates
 - iii. 340B program transparency

A handwritten signature in dark ink, appearing to read "Noah Nesin, MD", is written over a horizontal line.

Noah Nesin, MD, FAAFP
Chair, Maine Prescription Drug Affordability Board