



“An Act Relating to Prescription Drug Formularies” S. 216

Presentation to Senate Finance Committee

Susan Barrett, Executive Director, Green Mountain Care Board
(GMCB)

Tuesday, February 23, 2016

GMCB Policy Evaluation Questions

- Is this the right Policy?
- Is this the right Priority?
- Do we have the appropriate Resources?
- Is this the right Timing?

Current Legislative Landscape of State Prescription Formularies

Massachusetts: Senate No. 1048 Filed January 16, 2015

- The Commission shall develop a list of critical prescription drugs for which there is a substantial public interest in understanding the development and pricing.
- <https://malegislature.gov/Bills/189/Senate/S1048>

California: Assembly Bill No. 463 Filed February 23, 2015

- Requires each manufacturer of a prescription, available in California, that has a wholesale acquisition cost of \$10,000 or more annually or per course of treatment to file a report.
- http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201520160AB463

Current Legislative Landscape of State Prescription Formularies Cont.

Oregon: House Bill 3486, Filed 2015 Regular Session

- Requires manufacturer of prescription drug with annual wholesale acquisition cost of \$10,000 or more, or with wholesale acquisition cost of \$10,000 or more per course of treatment, to file annual report with Oregon Health Authority on costs associated with prescription drug for previous calendar year.
- <https://olis.leg.state.or.us/liz/2015R1/Downloads/MeasureDocument/HB3486>

North Carolina: House DRH10298-MM-102, Filed 2015 Session

- Each manufacturer of a brand medication that is made available in North Carolina shall file a report on pharmaceutical costs. (outlined in statute)
- <http://www.ncga.state.nc.us/Sessions/2015/Bills/House/HTML/H839v0.html>

Current Legislative Landscape of State Prescription Formularies Cont.

Virginia: HB 1113 Prescription drugs; price transparency

- Requires every manufacturer of a prescription drug that is made available in Virginia and has a wholesale acquisition price of \$10,000 or more for a single course of treatment to report to the Commissioner no later than July 1 of each year information related to the cost of developing, manufacturing, and marketing the prescription drug.
- <https://lis.virginia.gov/cgi-bin/legp604.exe?161+sum+HB1113>

New York: Contained in Governor's Budget

- *Plan would allow the state's health commissioner to develop a list of prescription drugs "for which there is a significant public interest in ensuring rational pricing by drug manufacturers."*
- *The manufacturers of the drugs on the list would then be required to provide a minimum rebate to Medicaid, which would be set by the state following an actuarial study.*
(from Politico)
- https://www.budget.ny.gov/pubs/executive/eBudget1617/fy1617artVIIbills/HMH_ArticleVII.pdf

Politico New York, Dan Goldberg Jan. 20, 2016

<http://www.capitalnewyork.com/article/albany/2016/01/8588431/cuomo-enters-national-debate-proposal-cap-drug-prices#>

Resources/ References

GMCB Website:

<http://gmcboard.vermont.gov>

GMCB 2015 Annual Report:

<http://www.gmcboard.vermont.gov/sites/gmcboard/files/Annual-Rpt-011116-Final.pdf>

National Conference of State Legislatures, State Actions Related to Transparency and Disclosure of Health and Hospital Charges,

<http://www.ncsl.org/research/health/transparency-and-disclosure-health-costs.aspx#> Legislation (last visited Feb. 22, 2016).

Politico New York, Dan Goldberg Jan. 20, 2016

<http://www.capitalnewyork.com/article/albany/2016/01/8588431/cuomo-enters-national-debate-proposal-cap-drug-prices#>