

Amendment to HB 1418-FN

1 Amend the title of the bill by replacing it with the following:

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3 AN ACT relative establishing a commission to study greater transparency in pharmaceutical
4 costs and drug rebate programs.
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6 Amend the bill by replacing all after the enacting clause with the following:

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8 1 New Subdivision; Commission to Study Greater Transparency in Pharmaceutical Costs and
9 Drug Rebate Programs. Amend RSA 126-A by inserting after section 74 the following new
10 subdivision:

11 Commission to Study Greater Transparency in Pharmaceutical Costs and Drug Rebate Programs
12 126-A:75 Commission to Study Greater Transparency in Pharmaceutical Costs and Drug
13 Rebate Programs Established.

14 I. There is established a commission to study greater transparency in pharmaceutical costs
15 and drug rebate programs.

16 (a) The members of the commission shall be as follows:

17 (1) Three members of the house of representatives, appointed by the speaker of the
18 house of representatives.

19 (2) One member of the senate, appointed by the president of the senate.

20 (3) The insurance commissioner, or designee.

21 (4) The commissioner of the department of health and human services, or designee.

22 (5) The commissioner of the department of administrative services, or designee.

23 (6) The attorney general, or designee.

24 (7) Two public members, appointed by the governor.

25 (8) A representative of the New Hampshire Hospital Association, appointed by the
26 association.

27 (9) A physician licensed under RSA 329, appointed by the New Hampshire Medical
28 Society.

29 (10) The executive director of New Futures, or designee.

30 (11) A representative of the New Hampshire Pharmacists Association, appointed by
31 the association.

32 (12) A representative of the Business and Industry Association of New Hampshire,
33 appointed by the association.

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1 (13) A member representing pharmacy benefit managers, appointed by the
2 Pharmaceutical Care Management Association.

3 (14) A representative of America's Health Insurance Plans (AHIP), appointed by
4 that organization.

5 (15) A representative of New Hampshire Purchasers Group on Health, appointed by
6 that organization.

7 (16) A representative of Pharmaceutical Research and Manufacturers of America,
8 appointed by that organization.

9 (17) A representative of a community mental health center, appointed by the New
10 Hampshire Community Behavioral Association.

11 (b) Legislative members of the commission shall receive mileage at the legislative rate
12 when attending to the duties of the commission.

13 II.(a) The commission shall study how to achieve greater transparency in pharmaceutical
14 costs by identifying and analyzing certain critical prescription drugs and their role in overall health
15 care spending in the New Hampshire and by analyzing the amounts rebated by drug manufacturers
16 for certain high cost and high utilization prescription drugs. The commission's study shall include,
17 but not be limited to:

18 (1) Studying strategies available to achieve greater transparency in pharmaceutical
19 costs by identifying and analyzing certain critical prescription drugs and their role in overall health
20 care spending and the impact of price increases on patients and their families.

21 (2) Reviewing legislative efforts in other states and taking advantage of any other
22 analysis by outside organizations or foundations.

23 (3) Analyzing the impact of drug prices on insurance premium costs, consumer out-
24 of-pocket costs for prescription drugs, and state and county purchasing of prescription drugs.

25 (4) Analyzing the potential impact of transparency in relation to the practices of
26 pharmaceutical manufacturers and pharmacy benefits managers, including how research and
27 development, marketing, and rebates affect drug prices.

28 (5) Proposing changes to New Hampshire law, as needed, to reduce the rising cost of
29 pharmaceuticals.

30 (b) The commission may solicit input from any person or entity the commission deems
31 relevant to its study.

32 III. The members of the commission shall elect a chairperson from among the members.
33 The first meeting of the commission shall be called by the first-named house member. The first
34 meeting of the commission shall be held within 45 days of the effective date of this section. Nine
35 members of the commission shall constitute a quorum.

36 IV. The commission shall make a report with its findings and any recommendations for
37 proposed legislation on or before November 1, 2018 to the speaker of the house of representatives,

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- 1 the president of the senate, the house clerk, the senate clerk, the governor, and the state library.
- 2 2 Repeal. RSA 126-A:75, relative to a commission to study greater transparency in
- 3 pharmaceutical costs and drug rebate programs, is repealed.
- 4 3 Effective Date.
- 5 I. Section 2 of this act shall take effect November 1, 2018.
- 6 II. The remainder of this act shall take effect upon its passage.

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AMENDED ANALYSIS

This bill establishes a commission to study greater transparency in pharmaceutical costs and drug rebate programs.