

Amendment to HB 1418-FN

1 Amend RSA 126-A:75, I-III as inserted by section 1 of the bill by replacing them with the following:

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

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

6 (1) Three members of the house of representatives, appointed by the speaker of the  
7 house of representatives.

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

9 (3) The insurance commissioner, or designee.

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

11 (5) One public member, appointed by the governor.

12 (6) A representative of the New Hampshire Hospital Association, appointed by the  
13 association.

14 (7) A physician licensed under RSA 329, appointed by the New Hampshire Medical  
15 Society.

16 (8) The executive director of New Futures, or designee.

17 (9) A representative of the New Hampshire Pharmacists Association, appointed by  
18 the association.

19 (10) A representative of the Business and Industry Association of New Hampshire,  
20 appointed by the association.

21 (11) A member representing pharmacy benefit managers, appointed by the  
22 Pharmaceutical Care Management Association.

23 (12) A representative of America's Health Insurance Plans (AHIP), appointed by  
24 that organization.

25 (13) A representative of Pharmaceutical Research and Manufacturers of America,  
26 appointed by that organization.

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

29 II.(a)(1) The commission shall study how to achieve greater transparency in pharmaceutical  
30 costs by identifying and analyzing certain critical prescription drugs and their role in overall health  
31 care spending in the New Hampshire and by analyzing the amounts rebated by drug manufacturers  
32 for certain high cost and high utilization prescription drugs. The commission's study shall include,

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1 but not be limited to:

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

5 (B) Reviewing legislative efforts in other states and taking advantage of any  
6 other analysis by outside organizations or foundations.

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

9 (D) Analyzing the potential impact of transparency in relation to the practices of  
10 pharmaceutical manufacturers and pharmacy benefits managers, including how research and  
11 development, marketing, and rebates affect drug prices.

12 (E) Proposing changes to New Hampshire law, as needed, to reduce the rising  
13 cost of pharmaceuticals.

14 (2) The commission shall also study the role pharmacy benefit managers play in the  
15 cost, administration, and distribution of prescription drugs; if greater transparency in  
16 pharmaceutical costs to purchasers would lower costs in overall health care spending in New  
17 Hampshire and analyzing the amounts rebated by drug manufacturers for prescription drugs  
18 passed to purchasers and patients. The goal shall be to determine if any changes to New  
19 Hampshire laws could reduce the rising cost of pharmaceuticals to purchasers or patients.

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

22 III. The members of the commission shall elect a chairperson from among the members.  
23 The first meeting of the commission shall be called by the first-named house member. The first  
24 meeting of the commission shall be held within 45 days of the effective date of this section. Eight  
25 members of the commission shall constitute a quorum.