



STATE LEGISLATURE TEAM TELECONFERENCE

MONDAY, APRIL 22, 2019

6am Hawaii/ 8am Alaska/ 9am Pacific/ 10am Mountain/11am Central/ 12pm Eastern

*(Press *6 to mute and un-mute your line)*

- Present: Warren Fong, M.D. (*Chair*); Wendy Alfaro; LuAnne Bankert; Nichole East; Diane Gerards-Benage; Jose Gonzalez; Mariana Lamb; George Malouly, Celgene; Chuck Miller, M.D.; Nicette Short; Maria Sipala; Sedrick Spencer, Celgene; Amy Supraner; Caren Sykes, Johnson & Johnson; Lisa Nelson, Senior Public Policy Director, Celgene; and Mike Tobin, Director of Policy and Strategy for Oncology and Companion Diagnostics, Johnson & Johnson.
- Absent: Patricia Alvarez-Sahagun, AstraZeneca; Jason Enlow, AbbVie; Leslie Fox, Johnson & Johnson; Dawn Holcombe; Luis Lopez, City of Hope; Peter Mackler, City of Hope; Damon Madison, AstraZeneca; Caroline Merritt; Alice Mutch; Tara Southwell, AbbVie; Carol Teal-Christner; and Tammy Thiel.

MINUTES

I. State Cancer Caucuses:

A. **Idaho** – (*Caroline*)

Update:

Still working towards creating a cancer caucus, identifying potential legislators and stakeholders. More than likely it will not happen until the next legislative session.

B. **Illinois** – (*Diane*)

Update:

The next meeting is scheduled for April 30, 2019 and the overall goal is to brief members of the Illinois General Assembly about relevant legislative issues and build collaboration among members and key stakeholders.

C. **Indiana** - (*LuAnne*)

Update:

First meeting was held on March 6th, ASCO had shared an article on the Caucus and several legislators have since expressed interest in getting involved in the caucus. They are planning their next meeting for September.

D. **Utah** – (*Carol*)

Update:

Currently searching for a lobbyist, which has proven to be rather difficult. However, they are reaching out to the newly appointed legislators. It is looking like this will not be up and running until next year at the earliest.

E. **Wisconsin** - (*LuAnne*)

Update:

Just started looking into the creation of a cancer caucus.

State Cancer Caucuses: (cont.)

F. **California** – (Nicette)

Update:

Stakeholders met recently to go over legislative priorities and to get everyone to take ownership in the caucus, to help build it up and so that NOSN can eventually pull back. Looking to schedule the next meeting this fall.

G. **Connecticut** – (Dawn/Amy/Maria)

Update:

Working to set up lunch meeting with BMS Rep in mid-May.

H. **Florida** – (Amy/Maria)

Update:

Working on it.

I. **Hawaii** – (Dr. Miller)

Update:

Hired a lobbyist but things are slowly progressing, hoping to have things up and running by end of summer.

J. **Massachusetts** –

Update:

Nicette had a conversation with Dr. Constantine and shared some “lessons learned” as MSCO is preparing to move forward with the creation of a Cancer Caucus.

II.

State Legislation:

Continuous monitoring of the following legislation.

A. **CAR-T Cell Therapy Coverage Determination** (CMS). (George Malouly) (Attached)

An email was distributed to all NOSN Partners on Friday, April 12th. The deadline for Comments is Friday, May 3rd. Dr. Fong also spoke with Dr. Lurvey at Noridian as well.

Update:

Over all the proposed memo was positive, however, it did mention that CAR T-Cell Therapy can only be given in the hospital to be covered but there are numerous clinical trials in community setting that will demonstrate the safe delivery of therapy.

Action:

1. Lisa encouraged everyone to contact their members of Congress asking them to join their bipartisan colleagues and sign the letter to Administrator Verma.
2. The NOSN Office will send out another reminder to NOSN Partners as well.

B. **Oral Parity Legislation** –

C. **Opioid Legislation** –

D. **States with Step Therapy/Fail First legislation** currently in place: AR, CA, CO, CT, HI, IA, IL, IN, KS, KY, LA, MD, MN, MO, MS, NM, NY, OH, OR, TX, WV, WA.

E. **Out of Pocket/Co-Pay Caps** –

F. **Co-Pay Accumulators** – Arizona and Virginia just passed this.

G. **Off-label Law** – California and Connecticut have very old legislation.

Add in language “will be consistent with what Medicare considers to be appropriate compendia.” That way new legislation isn’t needed.

State Legislation: (cont.)

- H. Drug Recycling – New Mexico/California
SB 650 - ANCO is sponsoring this bill that would allow oncologists to take back and redistribute unneeded, unused medications from their patients. (Jose)
Update:
Jose mentioned that the bill has received some resistance from the Business and Professional staff, they are addressing concerns but in order to avoid a “defeat”, they are taking the strategic position of keeping the concept alive and will work with the Board of Pharmacy to determine if the program is feasible in California.
- I. Increase the age for smoking to 21 – Washington, Illinois, Maryland, and New York just passed versions of this legislation. Virginia and Utah enacted similar measures earlier this year.
- J. Short-Term health plans, which potentially leave cancer patients without access to meaningful health insurance coverage. Idaho and Indiana both just passed this.

III.

New Business:

A. **Industry Sponsors Update:**

In February, Johnson & Johnson approved a restricted grant for use on educating the states on USP 797/800. This is a great opportunity to work with and solicit assistance from other companies as well.

Update:

Caren stated that this grant was processed by Ellen Ivey and she wasn't aware of the details. She will get more information and share on the next call. She did thank NOSN for its engagement and for recently making comments on the Safe Harbor Protection for Rebates involving prescription pharmaceuticals and creation of new safe harbor protection for certain point-of-sale reductions in price on prescription pharmaceuticals and certain PBM service fees.

IV.

Next Teleconference:

- A. Need to select date and time for next call.

Update:

The Team agreed with scheduling the calls for the second Tuesday of the month. The next Teleconference will be scheduled for **Tuesday, May 14th** at 6am Hawaii/ 8am Alaska/ 9am Pacific/ 10am Mountain/11am Central/ 12pm Eastern.

Meeting Adjourned at 9:32am-PST.