

HOUSE No. 1168

The Commonwealth of Massachusetts

PRESENTED BY:

Bradley H. Jones, Jr.

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act establishing a commission to review contracts between pharmaceutical benefit managers and MassHealth.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>
<i>Bradford Hill</i>	<i>4th Essex</i>
<i>Elizabeth A. Poirier</i>	<i>14th Bristol</i>
<i>Susan Williams Gifford</i>	<i>2nd Plymouth</i>
<i>Paul K. Frost</i>	<i>7th Worcester</i>
<i>Todd M. Smola</i>	<i>1st Hampden</i>
<i>Randy Hunt</i>	<i>5th Barnstable</i>
<i>Angelo L. D'Emilia</i>	<i>8th Plymouth</i>
<i>Steven S. Howitt</i>	<i>4th Bristol</i>
<i>Michael J. Soter</i>	<i>8th Worcester</i>
<i>Kimberly N. Ferguson</i>	<i>1st Worcester</i>
<i>Hannah Kane</i>	<i>11th Worcester</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>

HOUSE No. 1168

By Mr. Jones of North Reading, a petition (accompanied by bill, House, No. 1168) of Bradley H. Jones, Jr. and others for an investigation by a special commission (including members of the General Court) relative to contracts between the MassHealth program and pharmaceutical benefit managers. Health Care Financing.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act establishing a commission to review contracts between pharmaceutical benefit managers and MassHealth.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Notwithstanding any general or special law to the contrary, there shall be a special
2 commission established to assess contracts between the MassHealth program and pharmaceutical
3 benefit managers following a report commissioned by Ohio’s Medicaid program that found in
4 2017 pharmaceutical benefit managers billed its managed care payers \$223 million more than
5 what pharmaceutical benefit managers paid in pharmacy costs. The commission shall be tasked
6 with, but not be limited to, evaluating the possible transition of MassHealth from its existing
7 drug purchasing contract model with pharmaceutical benefit managers to a pass-through model.

8 The commission shall consist of 10 members: the state auditor, or a designee; the
9 secretary of health and human services, or a designee; the director of MassHealth, or a designee;
10 the director of insurance, or a designee; the speaker of the house of representatives, or a
11 designee; the senate president, or a designee; the minority leader of the house of representatives,

12 or a designee; the minority leader of the house, or a designee; one member who shall advocate on
13 behalf of pharmaceutical benefit managers, to be appointed by the governor; and one member
14 who shall advocate on behalf of pharmacies, to be appointed by the governor.

15 The commission shall submit its report and findings, along with any draft of legislation,
16 to the house and senate committees on ways and means, the joint committee on health care
17 financing, and the clerks of the house of representatives and the senate within 1 year of the
18 passage of this act.