Implementing the MN Prescription Drug Price Transparency Act: Public Meeting Notes (December 29, 2021)

UPDATED JANUARY 7, 2022

Meeting Subject: Public Meeting – Rx Transparency Act Implementation Update and Demonstration of Registration System Functionality

Date: December 29, 2021

Location: Webex

Hosts: Stefan Gildemeister, Magie Darling

Agenda

1	Welcome, Meeting Logistics, and Implementation Update	Magie Darling
2	Demonstration of Registration System Functionality	Nathalie McDaniel
3	Questions and Answers	Stefan Gildemeister, Jim Jones

Participants

In addition to staff from the Minnesota Department of Health (MDH) and consultants supporting MDH's implementation of the Prescription Drug Price Transparency Act (the Act), 48 individuals attended the public meeting. MDH promoted the meeting through GovDelivery notices and an announcement in the State Register.

Presentation and Discussion Notes

Access to the content shared during the presentation portion of the meeting is available online: December 29, 2021 Public Meeting Notes (https://www.health.state.mn.us/data/rxtransparency/docs/211229pres.pdf).

MDH received a question about how to stay updated on implementation progress and in contact with MDH.

MDH shared that it will continue to share updates with the public via updates to the Prescription Drug Price Transparency website (https://www.health.state.mn.us/data/rxtransparency/index.html) and GovDelivery bulletins. Additionally, MDH will communicate with registrants of the Prescription Drug Price

Transparency registration system when appropriate. Stakeholders interested in receiving GovDelivery bulletins may subscribe here.

One participant asked whether MDH recommends registering prior to reporting.

Yes. MDH encourages manufacturers register a primary contact before they report as early as the registration system become available. As noted during the meeting presentation, the registration of the primary contact includes a step in which MDH reviews and approves the manufacturer's request to register with the system. After MDH approval, the manufacturer may add additional contacts and/or affiliated organizations.

A participant asked when the registration and reporting systems will be available for use.

MDH shared that the **registration system** will be available early in 2022, and MDH will announce the registration system's availability by an update to the Prescription Drug Price Transparency website (https://www.health.state.mn.us/data/rxtransparency/index.html), a GovDelivery bulletin, and an email sent to Minnesota prescription drug manufacturer licensees.

When the **reporting system** is available for use, MDH will update the Prescription Drug Price Transparency website (https://www.health.state.mn.us/data/rxtransparency/index.html), send a GovDelivery bulletin, and email all registrants of the Prescription Drug Price Transparency registration system.

Several participants asked about how MDH's registration system will handle third-parties that manufacturers will use for reporting.

The manufacturer may delegate reporting authority to another entity (e.g., subsidiaries, contractors or other third parties) but remains responsible for the accuracy and completeness of any submissions to MDH.

In practice, a manufacturer may delegate this reporting authority by using the registration system. This is accomplished by first registering a primary contact that is an employee of the manufacturer, and then establishing an affiliation with the third party that will report on the manufacturer's behalf.

A third party supporting manufacturers with their reporting responsibility may be affiliated with multiple manufacturers. Each manufacturer must independently establish its affiliation with the third party.

Two participants asked about reporting responsibilities for new product launches and price increases of existing drugs.

To help manufacturers understand the criteria for reporting under the Prescription Drug Price Transparency Act (the Act), MDH has issued written guidance documents:

- Form & Manner for Prescription Drug Price Data Sets (https://www.health.state.mn.us/data/rxtransparency/docs/rxformmanner122921.pdf), which establishes the form and manner for reporting under the Act; and

- Frequently Asked Questions for Reporting Entities (https://www.health.state.mn.us/data/rxtransparency/docs/faq.pdf), which addresses commonly asked questions by manufacturers about their reporting responsibilities.

MDH would encourage manufacturers to first reference these documents and email our staff with their questions at health.Rx@state.mn.us if any uncertain remains.