



Michael T. Caljouw
Vice President
State Government & Regulatory Affairs

December 11, 2019

David Seltz, Executive Director
Massachusetts Health Policy Commission
50 Milk Street, 8th Floor
Boston, MA 02109

RE: Proposed Regulation 958 CMR 12.00: Drug Pricing Review

Dear Director Seltz:

On behalf of Blue Cross Blue Shield of Massachusetts (BCBSMA), I offer comments on the regulations on drug pricing review proposed by the Health Policy Commission (HPC). As a general matter, we support the Commonwealth's efforts in addressing the growth of pharmaceutical costs. As BCBSMA has noted in the past Cost Trends Hearings, growth in pharmaceutical spending is one of our organization's top areas of concern for the state's ability to meet the health care spending benchmark.

In assessing the proposed value, 958 CMR 12.05, the HPC has identified several factors for consideration, including "whether there are pharmaceutical equivalents of the Drug, and the number of such equivalents available." In addition to this factor, BCBSMA would recommend that the HPC consider whether there are therapeutic equivalents of the Drug, and the number of such equivalents. There may be scenarios where a therapeutic equivalent exists, but a pharmaceutical equivalent does not, and the existence of either should be considered when assessing the proposed value. A similar addition could easily be made to the companion EOHHS proposed regulation, 101 CMR 801.00: Drug Manufacturer Negotiations and Accountability.

We appreciate the opportunity to offer comments. Please do not hesitate to contact me if you have any questions.

Sincerely,

Michael T. Caljouw

cc: Secretary Marylou Sudders, MA Executive Office of Health and Human Services

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