



## HOUSE OF REPRESENTATIVES

### COMMITTEE ON HEALTH POLICY

REP. HANK VAUPEL

CHAIR

## COMMITTEE MEETING MINUTES

Tuesday, September 1, 2020      12:00 PM      Room 352, House Appropriations, State Capitol Building

The House Committee on Health Policy was called to order by Chair Vaupel.

The Chair requested attendance be called:

Present: Reps. Vaupel, Frederick, Alexander, Calley, Hornberger, Lower, Whiteford, Afendoulis, Filler, Mueller, Wozniak, Liberati, Garrett, Ellison, Koleszar, Pohutsky, Stone, Witwer.

Absent: Rep. Clemente.

Excused: Rep. Clemente.

Representative Frederick moved to adopt the meeting minutes from July 22, 2020. There being no objection, the motion prevailed by unanimous consent.

Representative Liberati moved to excuse Representative Clemente from the meeting. There being no objection the motion prevailed by unanimous consent.

The Chair laid HB 5937, HB 5938, HB 5939, HB 5940, HB 5941, HB 5942, HB 5943, HB 5944 and HB 5945 before the committee:

HB 5937 (Rep. Vaupel)

A bill to require drug manufacturers to report certain information to the department of insurance and financial services; to provide for the powers and duties of certain state officers and entities; to allow for the promulgation of rules; and to prescribe civil sanctions.

HB 5938 (Rep. Liberati)

A bill to license and regulate pharmacy benefit managers; to require reporting of certain data; to provide for the powers and duties of certain state governmental officers and entities; to provide remedies; to require the promulgation of rules; and

to require and to provide sanctions for violation of this act.

HB 5939 (Rep. Vaupel)

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3406v.

HB 5940 (Rep. Wozniak)

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding sections 17748e and 17748f.

HB 5941 (Rep. Wentworth)

A bill to amend 1984 PA 218, entitled "Third party administrator act," by amending the title and section 2 (MCL 550.902), and by adding sections 26 and 27.

HB 5942 (Rep. Kahle)

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 17757 (MCL 333.17757), as amended by 2016 PA 383, and by adding section 17757b.

HB 5943 (Rep. Tyrone Carter)

A bill to amend 1984 PA 323, entitled "The health care false claim act," by amending sections 2 and 4a (MCL 752.1002 and 752.1004a), section 4a as amended by 2016 PA 80.

HB 5944 (Rep. Frederick)

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," (MCL 500.100 to 500.8302) by adding section 3406v.

HB 5945 (Rep. Paquette)

A bill to amend 1978 PA 368, entitled "Public health code," (MCL 333.1101 to 333.25211) by adding section 21517.

Melissa Siefert, representing the AARP Michigan, testified in support of HB 5937, HB 5938, HB 5939, HB 5940, HB 5941, HB 5942, HB 5943 and HB 5944.

Shauna Gardner, representing the PhRMA, testified in opposition to HB 5937, HB 5940, HB 5941, HB 5942, HB 5943 and HB 5944. Questions and discussion followed.

Karen Jonas, representing the Michigan Association of Health Plans, testified in opposition to HB 5938, HB 5939 and HB 5944, and in support of HB 5937, HB 5940 and HB 5941, and with a neutral position on HB 5942 and HB 5943, and with no position on HB 5945. Questions and discussion followed.

Heather Cascone, representing the Pharmacy Benefits Managers, testified in opposition to HB 5938.

Karin Gyger, representing the Michigan Department of Insurance and Financial Services, testified in opposition to HB 5937, HB 5938, HB 5939, HB 5940, HB 5941, HB 5942, HB 5943, HB 5944 and HB 5945. Questions and discussion followed.

Andrew Schepers, representing the Michigan Medication Stability Coalition, testified in support of HB 5939 and HB 5944. Questions and discussion followed.

Brian Sapita and Mike Delpiere, representing the Michigan Pharmacists Association, testified in support of HB 5938. Questions and discussion followed.

The following people submitted a card in support of HB 5937, but did not wish to speak:

Holly Pendell, representing the National Multiple Sclerosis Society.  
Nicole Nystrom, representing the America's Health Insurance Plans.

The following people submitted a card in opposition to HB 5937, but did not wish to speak:

Dan Papineau, representing the Michigan Chamber of Commerce.  
Cynthia Bigley, Ph.D., representing the Otsuka Pharmaceutical.  
Francis Fitzgerald, representing the Lilly USA.

The following people submitted a card with no position on HB 5937, but did not wish to speak:

MayeBeth Hadfield, representing the Genetech.

The following people submitted a card in opposition to HB 5938, but did not wish to speak:

Kim Clarke Maisch, representing the Cigna.

The following people submitted a card in support of HB 5942, but did not wish to speak:

John Shaski, representing the Sparrow Health System.

The following people submitted a card in opposition to HB 5939 and HB 5944, but did not wish to speak:

Christin Nohner, representing the RWC Advocacy.

The following people submitted a card in opposition to HB 5939, but did not wish to speak:

Mary Kate Barnauskas, representing the Michigan State Medical Society.

The following people submitted a card in opposition to HB 5937 and HB 5940, but did not wish to speak:

Scott Breslin, representing the Pfizer.

The following people submitted a card in opposition to HB 5937 and HB 5940, but did not wish to speak:

Liz Smalley, representing the Merck.

The following people submitted a card in opposition to HB 5938, HB 5939 and HB 5941, but did not wish to speak:

Nicole Nystrom, representing the CVS Health / Aetna.

The following people submitted a card in opposition to HB 5938, HB 5939 and HB 5944, but did not wish to speak:

Nicole Nystrom, representing the American's Health Insurance Plans.

The following people submitted a card in support of HB 5937, HB 5938, HB 5939, HB 5940, HB 5941, HB 5942, HB 5943, HB 5944 and HB 5945, but did not wish to speak:

Bret Jackson, representing the Economic Alliance of Michigan.

The following people submitted a card in opposition to HB 5937, HB 5939, HB 5942 and HB 5945, but did not wish to speak:

David Worthams, representing the Michigan Manufacturers Association.

The following people submitted a card in opposition to HB 5937, HB 5940 and HB 5944, but did not wish to speak:

Greg Hoke, representing the BIO.

Nate Filler, representing the Boehringer Ingelheim.

Nancy McKee, representing the Sunovion Pharmaceuticals.

Jessica Crews, representing the Gilead Sciences.

Stephen Rapundalo, representing the Mich Bio.

John Valenti, representing the Sanofi.

Allyson Blandford, representing the Ambien.

Rusty Merchant, representing the Astellas.

Jonathan Buckner, representing the Biogen.

Patrick Gilha, representing the BMS.

There being no further business before the committee, Chair Vaupel adjourned the meeting at 1:04 PM.

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Representative Hank Vaupel, Chair

Melissa Sweet  
Committee Clerk  
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