

Official Minutes

Medical Fee Guide Committee Meeting

Microsoft Teams Meeting

September 21, 2023, 12PM

Present:

Committee Members:

Maija B. Jackson, Esq.
MFG Committee
Anthonia V. St. John, Esq.
Edward J. Bernacki, MD, MPH
Mary Capelli-Schellpfeffer, MD, MPA
Medical Director
Joseph M. Jagielski, Esq.
General
Jason Hammond, MD
Charles J. Thorne, DC

Allyson Bloom, Esq.
Keith Segalman, MD
Robert Garza, Esq.

Guest: Call-ins:

Samuel Deschenaux
Legislative Director
Office of Senator Kathy Klausmeier

Nancy Crawford
Chief of Staff
Office of Senator Pamela Beidle

Unidentified call-ins: 31

WCC Staff:

Comm. Allan Kittleman, Chair of

Maureen Quinn, Chairwoman
Mary Ahearn, CEO
Jerome Reichmister, MD,

H. Scott Curtis, Esq., Asst. Atty.

Theresa Cornish, COO
Janet Vanderpuije, Medical
Coding Mngr./MFG Secretary

Absent:

Greg Gilbert

Call TO ORDER:

Commissioner Kittleman called the meeting to order at 12:01pm, stated the purpose of continuing the discussion of prescription and drug formulary fee guide. Attendance of the MFG Committee members for the record.

APPROVAL OF MINUTES:

Commissioner Kittleman asked the MFG Committee Members their thoughts of the minutes for August 10th meeting, Joseph M. Jagielski, Esq. moved to approve the minutes, Anthonia St. John, Esq. approved, second by Dr. Charles Thorn.

OLD BUSINESS:

Dr. Keith Segalman addressed concerns of dispensary of drugs by physicians since not many physician offices dispense prescriptions and the financial issues it poses to the future of a prescription fee guide. These issues were addressed by the 2011 proposed prescription fee guide that promulgated a regulation that did not go forward, and the Commission has been asked to revisit the prescription fee guide.

NEW BUSINESS:

There are 35 or so states that have prescription fee guides now in place and it's important that the Committee come up with a consensus on what to do as a committee to at least investigate a prescription fee guide again.

Chair Quinn addressed the problems of non-existent of a pharmaceutical fee guide for injured workers, the backlog of litigation over the cost of a drug and its usual and customary standard as it is a burden for all parties.

The process of how a proposed prescription fee guide goes to the legislature and the outcome of the legislative decision; 2011 proposal as mentioned above did not go forward.

The pros and cons of Average Wholesale Price (AWP) and National Average Drug Acquisition Cost (NADAC) were discussed as to which is more cost effective for the prescription fee guide. The influence of Medicare and Medicaid on drug prices. The use of Average Wholesale Price (AWP) may be phased out.

The October meeting will discuss how to move forward with the prescription fee guide. Commissioner Kittleman suggested having experts in the pharmaceutical industry share their knowledge with the Committee members and as well has representatives from states that have workers compensation prescription fee guide share their process and any issues they encountered while formulating the prescription fee guide. The October 26, 2023, meeting will be an in-person meeting on the 3rd Fl of the Commission at 12pm.

ADJOURNMENT:

The meeting was adjourned at 12:57pm.

Minutes submitted by:

Janet Vanderpuije

Minutes approved by:

Commissioner Allan H. Kittleman