



Kaiser Foundation Health Plan of the Mid-Atlantic States, Inc  
2101 East Jefferson Street  
Rockville, Maryland 20852

January 20, 2021

The Honorable Shane E. Pendergrass  
Health and Government Operations Committee  
House Office Building Room 240  
6 Bladen Street  
Annapolis, Maryland 21401

**RE: HB 170 – Oppose**

Dear Chair Pendergrass and Members of the Committee:

Kaiser Permanente respectfully opposes HB 170, “Cancer Drugs – Physician Dispensing and Coverage.”

Kaiser Permanente is the largest private integrated health care delivery system in the United States, delivering health care to over 12 million members in eight states and the District of Columbia.<sup>1</sup> Kaiser Permanente of the Mid-Atlantic States, which operates in Maryland, provides and coordinates complete health care services for approximately 775,000 members. In Maryland, we deliver care to over 450,000 members.

The bill requires a carrier to permit a member to obtain a covered specialty drug that is a "cancer drug" from a dispensing physician. "Cancer drug" means any oral oncology drug and includes any oral oncology specialty drug that is prescribed for the treatment of cancer. The bill also requires a pharmacy benefits manager to allow a member to obtain a cancer drug from a dispensing physician.

The legislation would not facilitate easier access to medication for Kaiser Permanente patients. Our patients can obtain medications, including cancer drugs, at the pharmacies located within our 18 medical office buildings in Maryland, or via timely delivery through our mail order pharmacy service. Patients may also pick-up their medication at one of our pharmacies in Virginia or the District of Columbia, if more convenient due to proximity of their work location.

Since these medications are hazardous substances, they often require a distinct process of delivery to the patient in the preparation, handling, storage, inventory, or distribution of the drug. Some of these drugs are only available from manufacturers to specialty pharmacies and associated with REMS – a drug safety program that the U.S. Food and Drug Administration

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<sup>1</sup> Kaiser Permanente comprises Kaiser Foundation Health Plan, Inc., the nation’s largest not-for-profit health plan, and its health plan subsidiaries outside California and Hawaii; the not-for-profit Kaiser Foundation Hospitals, which operates 39 hospitals and over 650 other clinical facilities; and the Permanente Medical Groups, self-governed physician group practices that exclusively contract with Kaiser Foundation Health Plan and its health plan subsidiaries to meet the health needs of Kaiser Permanente’s members.

Kaiser Permanente  
Comments on HB 170  
January 20, 2021

(FDA) can require for certain medications with serious safety concerns to help ensure the benefits of the medication outweigh its risks. These medications may require enhanced patient education, management, or support, beyond those required for traditional dispensing, before or after administration of the drug.

Many pharmacists practicing in specialty settings have advanced training and certification to appropriately dispense and monitor medications in this category, such as those drugs with a narrow window between therapeutic effect and dangerous adverse events. Staff at specialty pharmacies are often available 24/7 to address concerns that may arise during a patient's course of treatment. Additionally, pharmacists evaluate the patient's entire medication profile and generally do not monitor individual therapies in isolation. To maximize the safety to patients in Maryland, it is most appropriate to ensure medications like these are dispensed and monitored by experts in medication therapy management.

Thank you for the opportunity to comment. Please feel free to contact Allison Taylor at [Allison.W.Taylor@kp.org](mailto:Allison.W.Taylor@kp.org) or (202) 924-7496 with questions.

Sincerely,

A handwritten signature in blue ink that reads "Wayne D. Wilson". The signature is fluid and cursive, with the first name being the most prominent.

Wayne D. Wilson  
Vice President, Government Programs and External Relations  
Kaiser Foundation Health Plan of Mid-Atlantic States, Inc.