

STATE BOARDS AND COMMISSIONS INFORMATION DISTRIBUTION POLICIES

This memorandum provides information regarding policies, procedures, or restrictions relating to distributing information to or communicating with members of a state board or commission.

DRUG UTILIZATION REVIEW BOARD PROCEDURES

At the July 1, 2008, Human Services Committee meeting, the policies and procedures (attached as an appendix) of the Drug Utilization Review Board were reviewed. The board procedures provide that all information to be distributed to board members must be sent to the Department of Human Services Administrator of Pharmacy Services for distribution. Additionally, all contact from representatives of the Pharmaceutical Research and Manufacturers of America Association regarding matters directly related to the board should be made through the board coordinator or the Department of Human Services Medicaid pharmacy program staff.

POLICIES AND PROCEDURES REGULATING STATE BOARDS AND COMMISSIONS

Mason's Manual of Legislative Procedure does not provide reference to specific procedures or restrictions relating to the distribution of information to a member of a board or commission. In addition, representatives of the Office of Management and Budget and the Attorney General's office are unaware of any state board or commission policies restricting the distribution of information.

A survey was conducted of selected regulatory, occupational, commodity, and governing boards and commissions to determine if policy restrictions exist regarding the distribution of information to members.

Of the boards and commissions surveyed, none were found to have policies or procedures in place that restricted communications with a board or commission member.

ATTACH:1

ND Medicaid DUR Board

Procedures

(Developed 07/28/03)

(Modified 02/04/08)

1. All information to be distributed to DUR Board members must be sent to the Administrator of Pharmacy Services for distribution.
 - a. All information received 14 days prior to the subsequent meeting will be forwarded to DUR Board members.
 - b. Electronic format as an attachment to an e-mail is the preferred format.
 - c. Electronic format as a CD-ROM or diskette is considered the second best option.
 - d. If the format must be paper, 15 copies must be supplied to the Administrator of Pharmacy Services.
 - e. The Department of Human Services will forward e-mail attachments to DUR Board members upon receipt of the e-mail.
 - f. The Department of Human Services will mail all information received via hardcopy, CD-ROM, or diskette weekly on Thursday afternoons as well as one last mailing 14 days prior to the scheduled DUR Board meeting.
 - g. The majority of communication from the Department of Human Services will be via e-mail and e-mail attachments.
2. Only one person may represent an interested party for presentations made during DUR Board meetings.
3. Presentations made by interested parties are limited to five (5) minutes (does not include Q&A or discussion generated by DUR Board members).
4. Process for DUR Board recommendations.
 - a. The first meeting in which a discussion is held on specific medication(s), the DUR Board will draft a proposal for any action on the medication(s) after reviewing information supplied by the Department of Human Services and interested parties.
 - b. This draft will be distributed to DUR Board members and those that have notified the Department of Human Services that they wish to receive such information.
 - c. Comments on the proposal will be accepted in the same process as the general information (send to Department of Human Services at least 14 days prior to the next meeting).
 - d. The subsequent meeting will involve a review of the comments received and will allow public comments per DUR Board guidelines mentioned above.
 - e. The DUR Board will then develop and vote on a finalized proposal.

PhRMA Contact of DUR Board Members

Effective immediately, all contact from PhRMA representatives regarding matters directly related to the Drug Utilization Review Board should be made through the DUR Coordinator, Candace Rieth, or North Dakota Medicaid Pharmacy Program Staff. Provision of written materials or opportunity for live presentation to the Board may be requested by contacting Candace Rieth at candace.rieth@hidinc.com or Brendan Joyce at sojoyb@nd.gov or by calling 719-339-1427. If Board members are approached concerning a specific Board issue, they may refer the representative to the DUR program.

This policy is being made in order to ensure that all Board members are provided the same information for use in decision-making. In addition, because proceedings of the DUR Board are public, all information provided should be made available in a public forum.