

MaineHealth

MaineHealth Local Health Systems

Franklin Community
Health Network
LincolnHealth
MaineHealth Care At Home
Maine Behavioral Healthcare
Memorial Hospital
Maine Medical Center
NorDx
Pen Bay Medical Center
Southern Maine Health Care
Synernet
Waldo County General Hospital
Western Maine Health

Part of the MaineHealth Family

MaineHealth Accountable
Care Organization

MaineHealth Affiliates

MaineGeneral Health
Mid Coast-Parkview Health
New England Rehabilitation
Hospital of Portland
St. Mary's Health System

Testimony of Brian Marden, MaineHealth in Strong Support of LD 1938

“An Act To Prohibit Discriminatory Practices Related to the 340B Drug Pricing Program” Tuesday, February 15, 2022

Senator Sanborn, Representative Tepler and distinguished members of the Joint Standing Committee on Health Coverage, Insurance and Financial Services, I am Brian Marden, Chief Pharmacy Officer at MaineHealth, and I am here to testify in Strong Support of LD 1938, “An Act To Prohibit Discriminatory Practices Related to the 340B Drug Pricing Program.”

MaineHealth is a non-profit health care system that provides the full continuum of health care services to the residents of eleven counties in Maine and one in New Hampshire through its nine acute care hospitals, physician practices, lab, home health care services, and an integrated continuum of inpatient and community-based behavioral health services. Every day, MaineHealth’s 22,000 care team members work tirelessly to support our vision of “Working together so our communities are the healthiest in America,” by providing safe, high-quality care to the residents in our service area.

This bill supports that vision by protecting the 340B program, which is a vital element to our care delivery model. MaineHealth has six (6) 340B hospitals and one (1) Hemophilia Treatment Center that are designated by meeting the strict eligibility criteria to participate in the program. The 340B Drug Discount Program is a federal program enacted in 1992 directed at safety-net providers with the purpose of enabling these entities to “[stretch scarce federal resources as far as possible, reaching more eligible patients and providing more comprehensive services.](#)” The benefit is derived through pharmaceutical manufacturers providing a discount to 340B covered entities on eligible drugs. LD 1938 protects this purpose and continues to allow our communities across Maine to receive the intended safety-net services provided by 340B covered entities. Collectively, our MaineHealth 340B Covered Entities provide over \$500 million in quantifiable community benefit per year and the 340B savings have been critical in ensuring access to care for all, regardless of their ability to pay. Such services include, but are not limited to: (1) offering medication assistance programs and free health care to patients who are un- and underinsured and unable to pay, (2) providing treatment for behavioral health diagnoses, including Substance Use Disorder, (3) operating food pantries in our communities, and (4) offering free diabetes prevention classes.

In recent years, even during a global pandemic where healthcare providers and communities across Maine have been severely impacted, insurers and pharmaceutical manufacturers have been seeking ways to target 340B. Such actions have involved insurers seeking to pay less to 340B Covered Entities for services provided and for pharmaceutical manufacturers to reduce or completely block access to purchase some or all of their medications at 340B prices required under the law. The shifting or blocking of 340B value from the entities where it was intended by Congress, limits the care and services we are able to offer to the people of Maine.

The growing manufacturer impact alone is adding up to over \$30 million in 340B losses per year for our MaineHealth Covered Entities. With LD 1938, Maine has the opportunity to stand firm in protecting our safety-net healthcare providers in their ability to deliver comprehensive services, especially in rural areas, and to provide access to all health care services to low-income Mainers. Protecting 340B is a lifeline to our vision at MaineHealth of “Working together so our communities are the healthiest in America.”

Thank you and I would be happy to answer any questions you may have.