

Revised November 2014

BYLAWS OF THE PHARMACEUTICAL AND THERAPEUTICS COMMITTEE

LEGAL MANDATE

The Pharmaceutical and Therapeutics Committee (“P&T Committee”) for the Connecticut Medical Assistance Program is established under the authority of section 17b-274d of the Connecticut General Statutes.

DEFINITIONS AND ABBREVIATIONS

CMS means the Centers for Medicare and Medicaid Services of the United States Department of Health and Human Services.

Connecticut Medical Assistance Program means the Connecticut Medicaid program administered pursuant to Title XIX of the Social Security Act, 42 U.S.C. §§ 1396 *et seq.*, and section 17b-261 of the Connecticut General Statutes.

Department or DSS means the State of Connecticut, Department of Social Services.

P&T Committee or Committee means the Pharmaceutical and Therapeutics Committee established under the authority of section 17b-274d of the Connecticut General Statutes.

P&T Contractor means the entity selected by the Department to administer the workings of the P&T Committee and the PDL pursuant to section 17b-274d of the Connecticut General Statutes.

PURPOSE AND ROLE OF THE COMMITTEE

The purpose of the P&T Committee is to adopt one or more PDLs for use in the Connecticut Medical Assistance Program. As necessary and appropriate, the P&T Committee will review and evaluate medical criteria, standards, and educational intervention methods concerning the establishment of one or more PDLs and make recommendations to the Department. The P&T Committee may also make recommendations to the Department regarding prior authorization of any prescribed drug covered by the Connecticut Medical Assistance Program.

At P&T Committee meetings, the Committee will provide an opportunity for pharmaceutical manufacturers agreeing to provide supplemental rebates pursuant to 42 U.S.C. § 1396r-8(c) to present evidence supporting inclusion of a product on the Connecticut Medical Assistance Program PDL. Members of the public also have the opportunity to address the P&T Committee on matters relevant to its agenda items.

The following guidelines will apply to all public testimony:

1. Speakers must submit a written document to the Committee at least two weeks prior to the meeting at which they wish to speak outlining the subject matter they wish to cover. The written document may not be more than ten (10) pages in length, and the font must not be smaller than twelve (12).
2. The Chairperson or designee will decide which speakers may present at the next meeting. Those speakers who are accepted by the Chairperson or designee will be notified at least one (1) week prior to the Committee meeting at which they will present.
3. The first thirty (30) minutes of each Committee meeting will be designated as the public portion of the meeting.
4. At the discretion of the Chairperson, speakers' presentations are limited to a maximum of five (5) minutes. Questioning by Committee members after speakers' presentations shall be permitted at the discretion of the Chairperson.
5. Speakers will state their names and identify the company, group or organization they represent, and only one speaker per company, group or organization will be permitted.

COMPOSITION AND MEMBERSHIP

Members of the P&T Committee are appointed by the Governor. There will be sixteen (16) members as follows: Seven (7) members shall be physicians licensed pursuant to Chapter 370 of the Connecticut General Statutes, including one (1) general practitioner, one (1) pediatrician, one (1) geriatrician, one (1) psychiatrist, one (1) child psychiatrist, one (1) oncologist, and one (1) specialist in family planning; four(4) members shall be pharmacists licensed pursuant to Chapter 400j of the Connecticut General Statutes; two (2) members shall be visiting nurses, one (1) specializing in adult care and one (1) specializing in psychiatric care; one (1) member shall be a clinician designated by the Commissioner of Mental Health and Addiction services; one (1) member shall be a representative of pharmaceutical manufacturer; and one (1) member shall be a consumer representative.

Committee membership must include physicians and pharmacists who participate in the Medicaid program and who have experience serving all segments of the Medicaid population. In addition, they must have recognized knowledge and expertise in prescribing, dispensing, and/or monitoring the use of, prescription drugs that are used by individuals on an outpatient basis.

TERMS OF MEMBERSHIP

Terms of membership will be two years from the date of appointment. Members may be appointed to more than one term.

REMOVAL DUE TO UNEXCUSED ABSENCES FROM MEETINGS

A Member's unexcused absence from two consecutive meetings shall result in the Chairperson sending the Member a formal notice indicating that the Member's continuing participation on the P&T Committee is in jeopardy. The Member's unexcused absence from a third consecutive meeting may result in the Member's removal from the P&T Committee.

REPLACEMENT DUE TO RESIGNATION, DEATH OR REMOVAL OF MEMBER

In the case of a vacancy created by death, resignation or removal of a Member due to failure to attend meetings, the Chairperson of the P&T Committee shall ask the Governor to appoint an individual representing the same profession as the person who will no longer be on the P&T Committee to serve the remainder of that particular term. Such individual shall be eligible to serve an additional two-year term, which would begin at the expiration of the term currently being served.

MEMBERS' RESPONSIBILITIES

Members of the P&T Committee shall:

1. Attend all P&T Committee meetings, unless otherwise excused by the Chairperson.
2. Apply knowledge of current medical and therapeutic practice to the development and review of medical therapeutic criteria.
3. Maintain confidentiality of information that is protected by law as confidential, including, but not limited to, any medical records that may be presented to the Committee and information disclosed by manufacturers or wholesalers in a form that discloses the identity of a specific manufacturer or prices charged for drugs by such manufacturer.
4. As appropriate, Members shall recuse themselves, and shall not participate in matters that pose a substantial conflict of interest. Recusal means that the Member will not participate in deliberations or debates and will not make recommendations, give advice or in any way assume responsibility for or participate in any aspect of decision-making relating to the matter where there are potential conflicts of interest. The Member is not required to leave the room, although the Member may voluntarily choose to do so. If the Committee is in executive session, however, once the Member has recused himself or herself, he or she may not be in the executive session room with the

other Members of the Committee. For matters that pose a potential conflict of interest, Members may either recuse themselves or prepare a written statement describing the matter requiring action, the nature of the potential conflict, and explaining why, despite the potential conflict, they are able to vote and otherwise participate fairly, objectively, and in the public interest.

5. Comply with all applicable state and federal statutes and regulations.

COMMITTEE OFFICERS AND ELECTIONS

Annual Election

The P&T Committee Members shall, on an annual basis, select a Chairperson and Vice-Chairperson from the Committee membership. The election will be held at the first P&T Committee meeting of each calendar year. The term of office for the position of Chairperson is one year and the term of office for the position of Vice-Chairperson is one year. Officers shall serve until replaced by election.

Election Procedures

A Member shall be nominated and elected when the Member receives a majority of the votes from the membership in attendance at a meeting in which a quorum is present. Nominations will be accepted from the floor by the serving Chairperson. Voting for the Officers will be done by written ballot or by a show of hands of the Members. If a Member is nominated by a majority of the Members, then that Member is elected to that office. If there are several nominees and no one Member is nominated by a majority of the Members, the nominee who received the lowest number of votes is dropped, and the Members vote from the remaining nominees. This procedure is repeated until a nominee receives a majority of the votes.

Responsibility of the Chairperson

The Chairperson shall:

1. Provide leadership for the Committee at Committee meetings.
2. Consider the views and opinions of all Members of the Committee, and strive to maintain an atmosphere at Committee meetings that encourages Members to express their views freely.
3. Confer with the P&T Contractor and the Department when planning and organizing P&T Committee activities, including but not limited to:
 - a. Preparing the agenda for each P&T Committee meeting;
 - b. Establishing meeting dates and calling meetings;

- c. Canceling and rescheduling meetings, as necessary; and
 - d. Establishing ad hoc committees.
4. Appoint P&T Committee Members to serve on ad hoc committees.
 5. In consultation with, and as agreed to by the Department, act as P&T Committee spokesperson and respond to inquiries from the public and the media concerning the activities of the P&T Committee.
 6. Accept information and materials from interested individuals and manufacturers concerning the establishment of the PDL and, as appropriate, disseminate such information and materials to P&T Committee Members.

Responsibilities of the Vice-Chairperson

The Vice-Chairperson shall perform the same functions as the Chairperson, at the request or in the absence of, the Chairperson.

RESPONSIBILITIES OF THE P&T CONTRACTOR

The P&T Contractor will provide support for, and coordinate the activities of, the P&T Committee. More specifically, the P&T Contractor shall:

1. Establish and maintain effective working relationships with P&T Committee Members;
2. Consider the views, opinions and needs of the Committee membership;
3. Coordinate activities of the ad hoc committees and the P&T Committee, as necessary and appropriate;
4. Act as a liaison between Members of the P&T Committee and the Department;
5. Confer with the P&T Committee Chairperson and the Department in planning, organizing and conducting P&T Committee business, including, but not limited to, as follows:
 - a. Prepare agenda and support materials for each P&T Committee meeting;
 - b. Send a copy of the agenda, including notice of the time and place of the Committee meeting, to the office of the Secretary of the State not less than twenty-four (24) hours before the meeting;
 - c. Prepare and distribute information and materials for use by the P&T Committee Members at meetings;

- d. Maintain P&T Committee records;
- e. Arrange meetings and meeting sites for P&T Committee meetings;
- f. Prepare minutes following every P&T Committee meeting and provide copies of minutes to Members of the P&T Committees, the Department, and other interested individuals who have expressed an interest in receiving copies of the minutes;
- g. Maintain tracking report of recommendations made, actions taken and issues raised by the Committee;
- h. As requested, inform the Committee of the status of recommendations made by the Committee.

AD HOC COMMITTEES

The Chairperson may designate members to serve on Ad Hoc Committees for the purpose of addressing a particular issue or concern. Appointments to such Ad Hoc Committees shall be subject to review and approval by the Department. Ad Hoc Committees shall be disbanded upon their completion.

NON-MEMBERS

Department representatives, though not members of the P&T Committee, may participate in discussions of the P&T Committee. For other non-members of the Committee in attendance at P&T Committee meetings, except as otherwise permitted in advance or as permitted by the Chairperson, they may not participate in discussions of the P&T Committee.

FREQUENCY OF MEETINGS

The P&T Committee shall meet at least biannually, and may meet at other times at the discretion of the Chairperson and the Committee members. Unless otherwise scheduled in advance, the date of the next meeting of the Committee will be decided at the end of the meeting prior to it.

OPERATIONAL PROCEDURES

Meetings will be conducted in accordance with Robert's Rules of Order.

There must be a quorum of the P&T Committee present in order for the Committee to conduct business. If less than a quorum of the P&T Committee is present, there shall be

no meeting. For purposes of the P&T Committee, a quorum is met if there are nine (9) members present.

As long as there is a quorum, a majority vote of the members present shall be the act of the P&T Committee. For purposes of acting on a particular matter requiring a vote, if a Member of the Committee recuses himself or herself from participation in and voting on a matter due to a conflict of interest, that Member is not counted when determining whether a quorum exists.

AMENDMENT OF BYLAWS

Proposed amendments to the P&T Committee's Bylaws will be adopted upon a majority vote. At the discretion of the Chairperson, proposed amendments to the Bylaws may be presented at one meeting and voted upon at the next meeting.