North Dakota Medicaid Drug Use Review (DUR) Board Procedures

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Medical Services Division
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DUR Board Purpose and Makeup

Each state Medicaid program must have a DUR Board per federal law, Section 1927(g)(3) of the Social Security Act. North Dakota state law 50-24.6-02 and administrative rule 75-02-02-28 established the DUR Board for North Dakota in 2003.

The DUR Board functions as an advisory board for ND Medicaid - Pharmacy Services, Medical Services division of the North Dakota Department of Health and Human Services ("the Department"). The DUR Board responsibilities include advising the Department on prior authorization criteria for pharmacy-dispensed medications; and identifying and developing educational topics and interventions to improve the quality of drug therapy. The DUR Board also serves as a resource to the Department to identify patterns of fraud, abuse, gross overuse, or inappropriate or medically unnecessary care.

The DUR Board includes six physicians, six pharmacists, one governor appointee, and two non-voting pharmaceutical representative members. DUR Board members serve staggered three-year terms with a maximum of three renewals.

Process for DUR Board Recommendations on Prior Authorization Criteria

1. **The first meeting:**

   A drug or drug class that the Department is considering for prior authorization management is presented to the DUR Board. The presentation typically includes best practice guidelines, treatment option comparisons, ND Medicaid payment rates to pharmacies and ND Medicaid utilization data.

   Public comment and follow up questions by DUR Board members is allowed. DUR members may make a motion, second the motion, have discussion, and hold a vote to approve the motion for the Department to draft PA criteria. If the motion is approved, the Department will take the discussion and comments into consideration while drafting proposed criteria.

2. **Distribution of drafted prior authorization criteria**

   The drafted criteria will be available in the next meeting handout which will be distributed to DUR Board members and posted on the DUR Board website located at www.hidesigns.com/ndmedicaid 14 days prior to the next meeting.

3. **The subsequent meeting**:

   The drafted criteria are presented to the DUR Board. Public comment and follow up questions by DUR Board members are allowed. DUR members may make a motion, second the motion, have discussion on the proposed criteria, and hold a vote approving the motion for the Department to adopt the proposed criteria and prior authorization of drug or drug class.

4. **Annual Review of Drugs and Drug Classes Subject to Prior Authorization**

   All drugs and drug classes subject to prior authorization will be presented for discussion by the DUR members annually in December. Public comment and follow up questions by DUR Board members is allowed.

Executive Sessions

The DUR Board meeting may be closed to the public during the portion which confidential or exempt records are considered. The following procedure will take place for an executive session:

1. The session will convene in an open meeting preceded by public notice.
2. During the open portion of the meeting, the topics to be considered during the executive session and the legal authority for holding an executive session on those topics will be announced.
3. The executive session will be recorded electronically.
4. Any final action on the topics considered in the executive session will be taken during the open portion of a meeting.

Public Participation

Testimony

2. Public testimony made by interested parties is limited to five (5) minutes (does not include Q&A or discussion generated by DUR Board members).
3. Public testimony must be related to an agenda item.
4. Only one person may represent an interested party for public testimony made during DUR Board meetings.
5. As a courtesy, please request an opportunity for public testimony by contacting Claire Stauter at claire.stauter@acentra.com

Distribution of Written Material

1. All information to be distributed to DUR Board members must be sent to the DUR Coordinator, Claire Stauter, for distribution by email claire.stauter@acentra.com at least 14 days prior to the meeting.
2. The DUR Coordinator will forward information for distribution, including email attachments, to DUR Board members upon receipt of the e-mail.
3. All Communication from the Department will be via e-mail and e-mail attachments as well as posting on the DUR Board website located at www.hidesigns.com/ndmedicaid

Contact from Pharma Representatives and Public

1. All contact from Pharma Representatives should be made to either the DUR Board Coordinator, Claire Stauter by email claire.stauter@acentra.com or North Dakota State Program Staff.
2. If Board members are approached concerning a specific DUR Board issue, they may refer the representative to the ND State Program Staff.
3. All Board members must be provided the same information for use in decision-making. The DUR Board is public forum so all information provided should be made available (see distribution of written material)
4. Pharma means all pharmaceutical companies (e.g., brand, generic, mixed brand and generic, biologic, biosimilars, etc.

Resources

DUR Board vendor website: www.hidesigns.com/ndmedicaid/dur-board/

- DUR Board meeting agenda, handouts, and meeting minutes
- ND Medicaid DUR Board Procedures
- Pharmaceutical Industry Representative resources

Prior authorization vendor website: www.hidesigns.com/ndmedicaid

- Prior authorization forms
- Preferred Drug List (PDL) - preferred position listing of drugs with clinical prior authorization criteria
- Academic Detailing – educational handouts developed for clinicians
- Newsletters, Pharmacy E-Mail Archive Link – communications archives

Health and Human Services DUR Board website:
https://www.hhs.nd.gov/drug-use-review-board
- Information regarding structure of DUR Board

Office of the Governor DUR Board website: https://apps.nd.gov/gov/boards/Board
- Information regarding membership of DUR Board

Office of the Attorney General website: Open Records & Meetings | Attorney General (nd.gov)
- Information regarding open records & meetings, notification and meeting minute requirements