



QUALITY –ADJUSTED LIFE YEAR (QALY) DEVALUE DISABLED LIVES.

SENATE 2170 BILL NO. – PRESCRIPTION DRUG COSTS

SB 2170 creates a new chapter, 19-03.7, of the North Dakota Century Code, relating to prescription drug costs.

SB 2170 would reference Canadian rates of prescription drugs. The bill directly references the process paid for drugs in five Canadian provinces. Before applying for coverage by the provinces, all medications must complete a Common Drug Review by Canadian Agency for Drugs and Technologies in Health (CADTH), which references QALYs. In Canada, the outcome is that many individuals living with disabilities are unable to receive the treatments and care they need.

MEDICARE QALY PROHIBITION:

The Affordable Care Act very clearly states that no one has the authority to deny coverage of items or services" solely based on comparative effectiveness research "nor to use such research" in a manner that treats extending the life of an elderly, disabled, or terminally ill individual as of lower value than extending the life of an individual who is younger, nondisabled, or not terminally ill. "¹

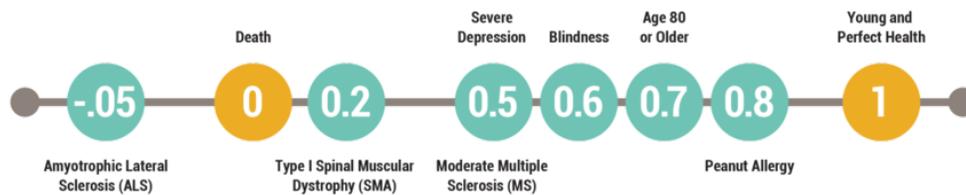
PRIOR PROHIBITIONS ON QALYS

- Section 504 of the Rehabilitation Act ensured that individuals with disabilities would not" be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination "under any program offered by any Executive Agency, including Medicare. Title II of the Americans with Disabilities Act (ADA) extended this protection to state and local governments' programs and services.
- And in 1992, the Administration, under President George H.W. Bush, established that Oregon's efforts to utilize a cost-effectiveness standard in Medicaid would violate the ADA.

¹ https://securservercdn.net/45.40.155.175/f2i.811.myftpupload.com/wp-content/uploads/2019/06/PIPC_ValueOurHealth_OnePager.pdf

QALYS- WHAT ARE YOU WORTH?

Quality-adjusted life years, or QALYs, is a metric commonly used to determine the value of a health care treatment. To calculate a QALY, we must assign a value to a person's life. Because the value assigned to seniors, the chronically ill, or people with disabilities is lower than that of a young, healthy person. ²



NATIONAL COUNCIL ON DISABILITY:

[The Nation Council On disability](#), an independent federal agency, recommends that policymakers avoid referencing or importing the QALY from other countries (such as Canada), clarifying that its use in public programs would be contrary to United States civil rights and disability policy. ³

Thank you for taking the time today to understand why The Arc recommends a DO NOT PASS for SB 2170.



The Arc of North Dakota
Contact: Kristen Dvorak | k.dvorak@thearcofbismarck.org

² <https://valueourhealth.org/what-are-you-worth/>

³ https://ncd.gov/sites/default/files/NCD_Quality_Adjusted_Life_Report_508.pdf