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Centers for Medicare and Medicaid Services
Department of Health and Human Services
Mail Stop C4-26-05
7500 Security Blvd.
Baltimore, MD 21244-1850

To Whom It May Concern:

On behalf of Johns Hopkins Hospital and Johns Hopkins Bayview Medical Center, we are responding to the request for comments on proposed regulations to implement the Deficit Reduction Act of 2005 (the "DRA"), published in the Federal Register on December 22, 2006. Johns Hopkins Hospital (a 995 bed hospital) and Johns Hopkins Bayview Medical Center (a 345 bed hospital) are located in Baltimore, Maryland, and qualify as disproportionate share hospitals ("DSH") under the Medicare program. Each is enrolled as a covered entity under the federal 340B drug discount program.

Hospitals in the State of Maryland provide a unique circumstance to the proposed regulation to require reporting of NDC information on drugs administered in hospital outpatient settings. Regulated by the Maryland Health Services Cost Review Commission, we operate the 340B program under a Memorandum of

program with the citizens of Maryland through the rebate process.

Requiring NDC information would create enormous administrative and financial burdens for our hospitals. NDC numbers are not currently a data field element in the information passed from our pharmacy system to our billing system. Further, even though pharmacy systems are built to incorporate the NDC providing clinical checking that helps to safeguard patients from adverse events due to drug interactions, the numbers may only represent a generic equivalent. Maintenance of the NDC database, building a new infrastructure and/or creating new interfaces between current information systems would require significant resource and time, substantially reducing the program benefit. Enactment of this regulation would result in no gain for the State of Maryland, since we currently share our benefit. If federal regulation compels NDC reporting despite existing arrangements with state governments, everyone will lose.

We hope that you will give serious consideration to the problems addressed in this letter, and that the proposed regulations published on December 22 will be clarified and revised as a result. We would be happy to speak with you directly if you require clarification of any information contained herein.

Sincerely,

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The Johns Hopkins • Johns Hopkins Bayview Medical Center • Howard County General Hospital • Johns Hopkins Community Physicians • Johns Hopkins Home Care Group