

CONFIDENTIAL & PROPRIETARY / TRADE SECRET
NOT SUBJECT TO DISCLOSURE UNDER THE FREEDOM OF INFORMATION ACT OR
VERMONT PUBLIC RECORDS LAW

VIA E-MAIL

July 31, 2020

Kite Pharma, Inc.
2400 Broadway
Santa Monica, CA 90404

Office of the Vermont Attorney General
Attention: Attorney General, TJ Donovan
109 State Street
Montpelier, VT 05609
AGO.highcostprescriptiondrugs@vermont.gov

Dear Attorney General Donovan:

This letter provides notice, as required by Section 4637(b) of Vermont Act 193, as codified at 18 VT. Stat. Ann. § 4637 (“Act 193”), that Kite Pharma, Inc. (“Kite”) released a new prescription drug to market, TECARTUS™ (brexucabtagene autoleucel) cell suspension for infusion (NDC 71287-219-01) on July 30, 2020, at wholesale acquisition costs above that of a specialty drug under the Medicare Part D program.

Section 4637 of Act 193 does not currently define “release of the drug in the commercial market.” Further, Kite is not aware of any guidance issued by the Office of the Attorney General (the “Office”) or any Vermont regulation that defines “release of the drug in the commercial market” for the purpose of Section 4637. Kite interprets “release of the drug in the commercial market” to mean when Kite makes a drug available for order.

We understand that, pursuant to Section 4637(e) of Act 193, the Office will publish information reported pursuant to Section 4637 on its website. Accordingly, we have attached a single-page version of this notice the Office can publish on its website while preserving the signatory’s right to privacy, consistent with Section 317(c)(10) of Title 1 of the Vermont Statutes Annotated. We ask that the Office only publish the single-page version of this notice on its website, pursuant to Section 4637(e) of Act 193.

Sincerely,

Thomas Boeing

Thomas Boeing
Vice President, Market Access

Notice of New Drug Pursuant to Section 4637 of Vermont Act 193

This letter provides notice, as required by Section 4637(b) of Vermont Act 193, as codified at 18 VT. Stat. Ann. § 4637 (“Act 193”), that Kite Pharma, Inc. (“Kite”) released a new prescription drug to market, TECARTUS™ (brexucabtagene autoleucel), 2×10^6 CAR-positive viable T cells per kg of body weight, with a maximum of 2×10^8 CAR-positive viable T cells in approximately 68 mL of cell suspension for infusion (NDC 7128721901) on July 30, 2020, at wholesale acquisition costs above that of a specialty drug under the Medicare Part D program.