Recommendation

Express opposition to the Administration’s proposed changes that weaken the Six Protected Classes policy in Medicare. If the proposal is finalized and still creates access barriers, block implementation of the final rule.

BACKGROUND

The Centers for Medicare and Medicaid Services (CMS) established and Congress has since confirmed the Six Protected Classes policy to ensure that Medicare Part D beneficiaries living with serious and complex health needs, like epilepsy, have access to the full range of approved medications. The classes include treatments for epilepsy, cancer, mental health conditions, organ transplants, and HIV/AIDS.

CMS issued a proposed rule in November 2018 that would allow increased utilization management practices in the Six Protected Classes. Under the administration’s proposal, Part D plans would be able to institute broader use of prior authorization and step therapy, including for people who are currently stable on their medications. The proposal would also allow plans to exclude medications from the formulary in certain instances.

Epilepsy medications are not interchangeable. People living with epilepsy need meaningful access to the full range of approved anticonvulsants. When people living with epilepsy are forced to switch medications, or alter their treatment plan, this can lead to breakthrough seizures, associated complications and costs, or even death.

ABOUT EPILEPSY

Epilepsy is a disease or disorder of the brain which causes reoccurring seizures. Epilepsy is made up of many different types of seizures or syndromes, affects people throughout the lifespan, and can have many different causes and associated conditions.

3.4 million Americans live with active epilepsy. While some are able to gain seizure control, 30-40% of people with epilepsy live with uncontrolled seizures despite available treatments. Delayed recognition of seizures and inadequate treatment increase a person’s risk of subsequent seizures, brain damage, disability, and death. Epilepsy imposes an annual economic burden of $19.4 billion on the country.

FOR MORE INFORMATION, CONTACT:

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