Drugs in Medicare Plan's "Protected Classes" to Remain Protected

The Trump administration had proposed changing which meds were covered, including HIV and cancer drugs.

May 30, 2019 By Trent Straube

The Trump administration has put on hold its plans to remove protections for certain meds, including HIV and cancer drugs, covered in Medicare Part D. The Centers for Medicare and Medicaid (CMS) had been reviewing the proposal and announced this month it would not implement the rule, reports CNBC.

The Trump administration announced the proposal in January, arguing that it would rein in drug prices. But advocates and patients countered that protections for the drugs covered in Medicare Part D were required in order to guarantee access.

Medicare Part D, as AIDS United explained in a January blog post, helps Americans access drugs in six "protected classes," including immunosuppressants (needed for transplants), antidepressants, antipsychotics, anticonvulsants, antiretrovirals and antineoplastics (used in cancer treatments).

When CMS announced it would maintain its existing policy, the AIDS Institute released a statement commending the decision.

"We are pleased that [Department of Health and Human Services Secretary Alex Azar] and the Trump administration listened to the patients and widely accepted HIV treatment guidelines by rejecting their proposal to institute prior authorization and step therapy for HIV drugs for the first time in the Medicare Part D Program," said Carl Schmid, the institute's deputy executive director.

"The AIDS Institute is also pleased that the administration is not instituting prior authorization and step therapy for patients who are already stable on their medication for people with cancer, epilepsy, mental illness and organ transplant survivors. Many people living with and at risk of HIV experience these health conditions, and we stand with them to ensure that they can access the medications that they need."

The American Society of Clinical Oncology (ASCO) also released a statement applauding CMS for "not finalizing a proposal that would have significantly impacted access to drugs within the six protected classes. The CMS final rule effectively maintains many of the protections for Medicare

beneficiaries with cancer and other chronic illnesses under Medicare Part D. While we support efforts to control drug prices, optimal cancer care requires patient access to the most medically appropriate drug, at the most opportune time, based on the highest-quality evidence."

The ASCO statement continues: "We are disappointed, however, that CMS finalized its proposal to allow the use of step therapy for protected class prescription drugs under Medicare Advantage and Medicare Part B. Step therapy requires patients to try and fail to have a desired clinical outcome on a lower-cost medication before they can access the medication prescribed by their health care provider. This not only delays patient access to proper treatments, it potentially leads to irreversible disease progression and other significant patient health risks."

For additional background on the original proposal, see this opinion piece by the American Academy of HIV Medicine.

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