

Scaling Up PrEP Use Now by Leveraging Existing Programs

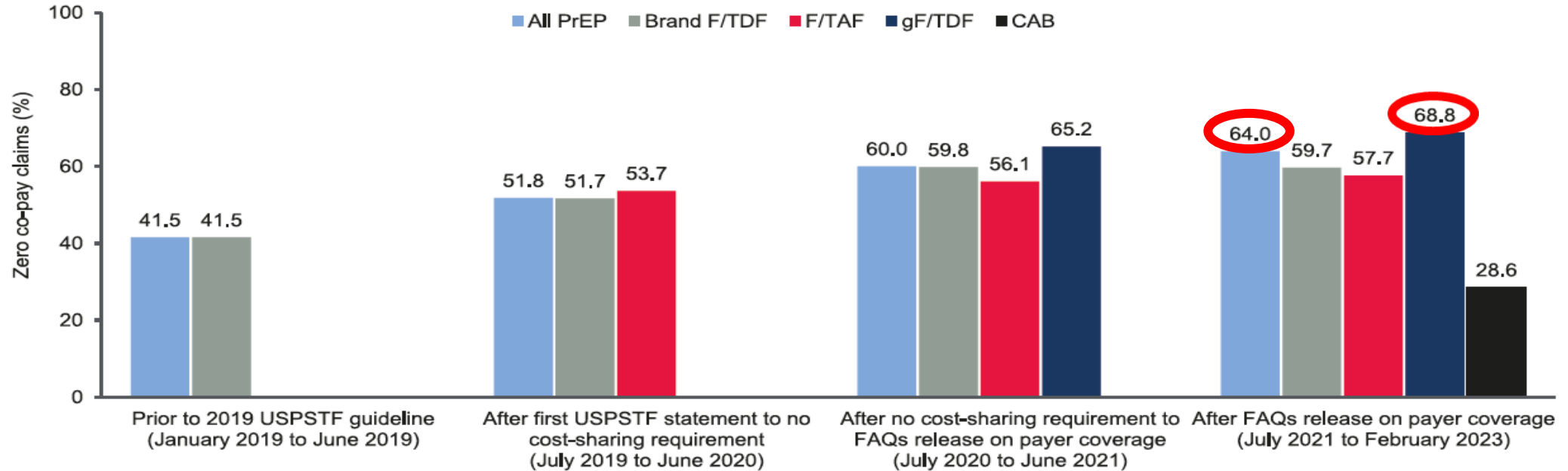
Health Insurance Coverage: Public and Private

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April 19, 2024*

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Private insurance continues to charge unlawful copays for PrEP

Figure 3. Impact of USPSTF guidelines on breakdown of percentage zero co-pay claims (monthly average)*



The number of claims per product are as follows: brand F/TDF, 858579; F/TAF, 1382833; gF/TDF, 1455182; CAB, 9576. *Due to the timing of product availability, some data are missing for earlier years. CAB, cabotegravir; F/TAF, emtricitabine/tenofovir alafenamide; F/TDF, emtricitabine/tenofovir disoproxil fumarate; FAQ, frequently asked questions; gF/TDF, generic emtricitabine/tenofovir disoproxil fumarate; PrEP, pre-exposure prophylaxis; USPSTF, United States Preventive Services Task Force.

Zachry et al. **Impact of the United States Preventative Services Task Force (USPSTF) Guidelines on Pre-Exposure Prophylaxis (PrEP) Claims and HIV-1 Infection Incidence: an Interrupted Time Series with Segmented Regression Analysis.** AMCP-Nexus 2023, Orlando, FL



PAYERS

Feds call on insurers to fully cover HIV prevention drug PrEP without cost-sharing

By **Robert King** • Jul 19, 2021 04:38am

[Affordable Care Act \(ACA\)](#)

[Drug Prices](#)

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Sens. Merkley, Smith, Colleagues Sound Alarm on Unlawful Charges for PrEP Patients

*Targeted News Service
(Press Releases)*

WASHINGTON, Sept. 9 -- Sen. Jeff Merkley, D-Oregon, issued the following news release and letter on Sept. 8, 2022:

Oregon's U.S. Senator Jeff Merkley and Tina Smith (D-MN) are joined by Senators Chris Van Hollen (D-MD), Elizabeth Warren (D-MA), Bernie Sanders (I-VT), Tammy Baldwin (D-WI), Edward J. Markey (D-MA), and Cory Booker (D-NJ) in a letter to AHIP, the trade association representing health insurance companies. The letter expresses concerns about the continued practice of unlawfully charging individuals for pre-exposure prophylaxis (PrEP) medication and related care.

Private Insurance: Case Report from Massachusetts

- ▶ MA resident on ACA Marketplace plan
- ▶ Charged \$15 copay every time he completed a telehealth or in office visit for > 1 year
- ▶ Called insurer several times from Feb-May 2022
 - Told that PrEP was not a “preventive service”
- ▶ Despite health center help advocating with plan, no progress
- ▶ Stopped PrEP and tested positive in June 2022

Despite federal rules, HIV prevention drug still comes with costs

The billing errors have forced some to stop taking the medicine, putting them at heightened risk of contracting the virus.

By [Jessica Bartlett](#) Globe Staff, Updated January 8, 2023, 4:58 p.m.



Henry Henderson was billed more than \$200 every three months for a medication he should have received free of charge. CRAIG F. WALKER/GLOBE STAFF

AG Campbell Leads Multistate Coalition, Issues Consumer Advisory Supporting Access to HIV Prevention Drugs and Services at No Cost to Patients

FOR IMMEDIATE RELEASE:

3/01/2023

Office of the Attorney General

BOSTON — Massachusetts Attorney General Andrea Joy Campbell has led a coalition of 22 attorneys general in submitting a letter to the Centers for Disease Control and Prevention (CDC) and National Center for Health Statistics (NCHS) advocating for a new diagnostic code for Pre-exposure Prophylaxis (PrEP) for HIV prevention in the International Classification of Diseases – Tenth Revision (ICD-10), which would reduce coding ambiguity and ensure that patients are not improperly charged copays for preventative services.


Today, AG Campbell also issued an [advisory](#) for Massachusetts consumers with information about the right to PrEP and associated services without any out-of-pocket costs in most instances.

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Braidwood v Becerra

- ▶ ACA requires no-copay preventive services
 - ▶ PrEP given A-rating by USPSTF in 2019
- ▶ Plaintiffs challenge
 - ▶ constitutionality of mandate based on USPSTF recommendations
 - ▶ coverage of PrEP by employers objecting on religious grounds
- ▶ HIV+Hep & 24 organizations submitted *amicus* brief focused on HIV
- ▶ District Court ruled in favor of plaintiffs on most issues but decision is stayed on appeal to Fifth Circuit
- ▶ **ACA preventive services mandate remains the law of the land**
 - ▶ **Fifth Circuit expected to rule later this year**
 - ▶ **any decision likely to be appealed to Supreme Court**

National-level advocacy

- ▶ NASTAD billing & coding guide
- ▶ White House convening on PrEP copays
 - ▶ CCIIO enforcement
 - ▶ DOL for ERISA plans
 - ▶ CDC involved
- ▶ Defend ACA protections
 - ▶ Preventive services, harmful benefit designs
- ▶ PrEP Access & Coverage Act [HR 4392/S 2188](#)

State-level advocacy

- ▶ Formal insurance complaints
 - ▶ insurance dept or AG office
- ▶ Press coverage
- ▶ Advocate for state legislation
 - ▶ \$0 copay
 - ▶ no prior auth
 - ▶ pharmacy-based PrEP
 - ▶ preventive service coverage
 - ▶ CA, CO, IL, NJ, NY, ME, NV, RI
- ▶ Advocate for state PrEP insurance guidance
 - ▶ AL, CA, CO, GA, IL, MA, MI, NM, NY

Medicare

- ▶ Medicare coverage of PrEP
 - ▶ Out-of-pocket costs can be high
 - ▶ Some plans cover LA PrEP (mix of Part B and Part D)
- ▶ National Coverage Determination (NCD)
 - ▶ ViiV requested NCD for provider-administered PrEP
 - ▶ HIV+Hep & 64 orgs request timely NCD for LA PrEP
- ▶ CMS proposes to **require no-copay coverage of both oral & injectable forms of PrEP (incl future drugs) in Part B**

Medicare

- ▶ HIV+Hep & other orgs point out that billing Part B for oral meds poses challenges that could adversely affect access
 - ▶ Many PrEP users would need to switch pharmacies
 - ▶ Call on CMS to consult with patients, pharmacies, providers, plans before moving forward
 - ▶ Can oral PrEP be covered in both B & D?
 - ▶ No-copay coverage may not be possible in Part D
- ▶ CMS misses October 2023 deadline to finalize NCD Medicare coverage of PrEP
- ▶ Still waiting for CMS decision

Medicaid

- ▶ Critical to cover all forms of PrEP without prior authorization
- ▶ \$0 copay – even low Medicaid copays are a barrier
- ▶ Network issues
- ▶ Reduce Medicaid churn issues
 - ▶ Many people churn between Medicaid, uninsurance, and private insurance
 - ▶ PrEP insurance navigation helps

Thank you!

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