March 4, 2015 - The Partnership for Part D Access (“Partnership”) today announced its support for bipartisan Senate legislation that aims to permanently protect patient access to protected classes of lifesaving drugs under Medicare Part D. The legislation, the Medicare Formulary Improvement Act, introduced today by Senator Charles Grassley (R-IA) and Senator Sherrod Brown (D-OH), codifies a current provision under Medicare Part D that ensures open access to beneficiaries to six classes of potentially lifesaving medication including antidepressants, immuno-suppressants, antipsychotics, anticonvulsants, oncology, and HIV/AIDS drugs.

The Senators’ legislation is broadly welcomed by a wide chorus of leading patient advocacy organizations and builds on recent Partnership efforts to secure the continuation of the long-standing policy to provide protected class status for these categories of drugs. Last year, the Centers for Medicare and Medicaid (CMS) sought to change the current policy and limit access to certain categories of these drugs in 2015 and 2016 – an effort that would have had a devastating effect on millions of Americans who rely on these therapies for their health and well-being. The Partnership applauded CMS’ decision to rescind their proposal after it attracted an outpouring of stakeholder and bipartisan congressional opposition.

Restricting access to these vital classes of therapies is not wise from a fiscal perspective, either. For starters, mechanisms to contain costs and steer patients toward lower costs options already exist in the Medicare Part D program. Part D plans are able to tier the cost of medications, which has been proven effective at containing costs. Additionally, when beneficiaries lack access to needed medication, patients, the health care system and taxpayers incur additional costs in the form of avoidable hospitalizations, physician visits and other medical
interventions that are otherwise preventable with proper adherence to medication.

Stakeholder Quotes:

“We are grateful to Senators Grassley and Brown for their efforts today. With the introduction of this legislation, they’re demonstrating a keen understanding of the need to maintain beneficiary access to the life-saving drugs provided under Medicare Part D,” said Chuck Ingoglia, Senior Vice President of the National Council for Behavioral Health, which spearheads the Partnership for Part D Access. “This legislation also has the potential to provide millions of seniors and particularly vulnerable Americans with the peace of mind that the medications they rely on every day will continue to be available to them through Medicare.”

"Medicare Part D, including the 6 protected classes, is working, and we applaud Senators Grassley and Brown for preserving this important policy for patients into the future," commented Carl Schmid, Deputy Executive Director of The AIDS Institute. “Seniors and other beneficiaries, including those with HIV, should always be able to access the medications that their providers prescribe.”

“Thanks to Senators Grassley and Brown, their legislation will make sure that the lifesaving pharmaceutical benefits of Medicare Part D cannot be compromised. This is a program that has proven time and again that it keeps patients healthy so they don’t have to turn to costly hospital stays for care. For those with mental health issues, Part D provides access to the specific life-saving medications that their doctors prescribe. This is vital to our most vulnerable citizens because it gives them the ability to live healthy lives,” said Andrew Sperling, Director of Federal Legislative Advocacy for the National Alliance on Mental Illness (NAMI).

“The Epilepsy Foundation strongly supports the legislation introduced today by Senators Grassley and Brown, and is grateful to their understanding and compassion for those Medicare patients who rely on access to protected classes of medication. We strongly urge the Senate to take up this legislation and act on it immediately so that there can be no future regulatory changes that could create harmful barriers to patient care,” said Angela Ostrom, Chief Operating Officer and Vice President Public Policy, Epilepsy Foundation.

“Patients with chronic and life-threatening illness face frequent and complex treatments decisions. Ensuring continued coverage for therapies that are most closely aligned to the very personalized needs of patients is something we should all support,” stated Kim Thiboldeaux, Chief Executive Officer of the Cancer Support Community, “and thanks to the leadership of Senators Grassley and Brown, Medicare will continue to provide beneficiaries with the options most closely aligned with their individual health needs as determined by the patient and the health care team. We encourage Congress to swiftly advance
“Speaking on behalf of the Depression and Support Alliance (DBSA) and its more than 53,000 in-person participants, DBSA President Allen Doederlein stated that, “This legislation places decisions about the most appropriate pathways to living in wellness in the hands of the people best equipped to make those decisions: the individuals living with mental health conditions in partnership with their clinicians.”

“Without this protected class status for immunosuppressive drugs there is no other enforceable protection under Medicare Part D policy that would ensure patient access to all or substantially all immunosuppressive drugs. Physicians must work with patients to fine tune the right combination of drugs to effectively suppress the immune system while minimizing these dangerous side effects. An improper balance of medications could result in rejection of the transplanted organ, hospitalization or even death. In order to find the right combination for individual patients, physicians must have the full-range of approved immunosuppressive drugs at their disposal. This delicate balance was recognized in the decision to include these medications under protected status.” Dr. Matthew Cooper, Transplant Surgeon and Board Member of the National Kidney Foundation.

About the Partnership for Part D Access

The Partnership for Part D Access is a coalition of leading national patient groups, pharmaceutical industry participants, and other advocates committed to maintaining open access to all available medications under Medicare Part D. Last year, the coalition led a successful effort that steered CMS away from pursuing a proposed rule that would have reduced the number of “protected classes” of medication in Medicare Part D. In addition to creating awareness of how the proposed rule would have jeopardized the health of some of our nation’s most vulnerable patients, the Partnership for Part D Access also aims to mobilize patients and concerned citizens by providing a means for them to speak out against actions that would jeopardize access to these potentially life-saving medications. For more information and a full list of members, visit www.partdpartnership.org.

Contact:
Andrew Rosenberg
(202) 247-6301
arosenberg@thornrun.com