



Service, Education, Advocacy

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Testimony in Support of H.B. 6360

Senator Musto, Representative Tercyak and members of the Human Services Committee:

My name is Domenique Thornton. I am the General counsel and Director of Public Policy for the Mental Health Association of CT, Inc., (MHAC). MHAC is a 100-year old private non-profit dedicated to service, education and advocacy for people with mental health disabilities most of whom receive their vital prescription medications necessary to make recovery and a life in the community possible through Medicaid. I am here to testify in support of HB 6360, a bill which would require written notice to both Medicaid enrollees and their providers when prescribed drugs are electronically denied, in whole or in part, at the pharmacy due to lack of prior authorization (PA) or for any medical utilization management reason used by DSS.

MHAC is supporting (1) automatic one-time 30 day temporary supplies be provided whenever drugs were electronically denied at the pharmacy for lack of PA, (2) follow-up with prescribers be automatically conducted by DSS whenever one of these temporary supplies was provided to advise the prescriber of the need to take further action- request PA or prescribe a different drug that does not require PA- and (3) written notice be mailed out to the enrollee within 24 hours whenever a drug is electronically denied for lack of PA or for any other reason

(such as dosage limits imposed on certain drugs). These steps are essential to reduce harm to the enrollees who would otherwise be unaware of the denial and return to the pharmacy after a temporary fill only to find that they had been denied through prior authorization (PA).

Written notice to the enrollee also is required by federal Medicaid law:

“[I]n the event that an individual is denied access to even a temporary supply, either because he or she has returned a second time with a prescription for the same drug without prior authorization having been obtained, or for any other reason, a written notice to the recipient must be mailed out within 24 hours of an electronic denial at the pharmacy, explaining why the drug was denied and the means to request a hearing to review the denial. See 42 U.S.C. § 1396a(a)(3) and 42 C.F.R. § 431.205(d) and 431.220(a)(1).”

Two years ago the legislature reduced the automatic temporary fill from a 30-day one-time temporary supply to be provided in the event of denials to a 14 day supply. However, no consumer protections were implemented to require DSS to provide written notice to the enrollee when a drug is electronically denied at the pharmacy for any reason, even if no temporary supply is authorized (since the one-time supply has already been provided). Also, no follow-up is provided to the prescribers to advise that only a temporary supply has been provided and that no further prescriptions will be supplied without PA, with the exception of behavioral health medications. While we appreciate that there is this follow-up with prescribers for these drugs, we also know that persons with severe mental illness can expect to live 25 years less long than the general population due to co-morbid physical conditions that go untreated such as heart conditions, high blood pressure and obesity. Without access to important medications, this will continue to be the state of poor health for many persons who depend on Medicaid for their prescription drug medications. A serious result can often be expected including expensive hospitalizations and emergency room use at the state’s expense.

For all these reasons, I urge you to pass favorably on HB 6360. Thank you.