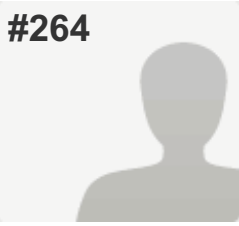


# Ending the Epidemic Task Force Recommendation Form

#264



**COMPLETE**

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**Q1: OPTIONAL: This recommendation was submitted by (please provide your first and last name, affiliation, and email address)**

|               |                         |
|---------------|-------------------------|
| First Name    | Lyndel                  |
| Last Name     | Urbano                  |
| Affiliation   | Gay Men's Health Crisis |
| Email Address | lyndelu@gmhc.org        |

**Q2: Title of your recommendation** Anti-mandatory mail order pharmacy

**Q3: Please provide a description of your proposed recommendation**

People living with HIV in NYS who have private insurance have problems accessing their medications because they are forced to use mail order pharmacies.

Close the loophole in New York State insurance law that allows health insurance plans to require consumers to use a single mail order pharmacy for their prescription medications. Specifically, under existing NYS Insurance Law, local pharmacies must meet the same terms and conditions as mail order pharmacies that supply medication nationally. We recommend that the state review the terms and conditions provision of the law to remove conditions that are poorly suited to these small businesses that only conduct business in New York State. The change could model proposed 2013 legislation (A.5723B/S.3995B)

**Q4: For which goal outlined in the Governor's plan to end the epidemic in New York State does this recommendation apply? (Select all that apply)**

Linking and retaining persons diagnosed with HIV to health care and getting them on anti-HIV therapy to maximize HIV virus suppression so they remain healthy and prevent further transmission

**Q5: This recommendation should be considered by the following Ending the Epidemic Task Force Committee (Select all that apply)**

Care Committee: Develop recommendations to support access to care and treatment in order to maximize the rate of HIV viral suppression. The Committee will promote linkages and retention in care to achieve viral suppression and promote the highest quality of life while significantly decreasing the risks of HIV transmission. Recommendations will also ensure a person centered approach is taken and that access to culturally and linguistically appropriate prevention and health care services is available.

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**Q6: Does this recommendation require a change to an existing policy or program, or the creation of a new policy or program?**

Change to existing policy

**Q7: Would implementation of this recommendation be permitted under current laws or would a statutory change be required?**

Statutory change required, Unknown

**Q8: Is this recommendation something that could feasibly be implemented in the short-term (within the next year) or long-term (within the next three to six years)?**

Within the next year

**Q9: What are the perceived benefits of implementing this recommendation?**

Reviewing the terms and conditions provisions would ensure consumer choice. Consumers, not the insurance industry would choose to fill prescriptions by mail or at a local pharmacy, as long as the pharmacy matches the average wholesale cost.

Mandatory mail order threatens health & privacy. Prescriptions are lost in the mail or stolen and consumers must pay the full cost for replacements. Drug regimens are delayed and interrupted.

Prescriptions requiring refrigeration spoil at the door. Confidential health information is disclosed to neighbors who receive medications in error.

In summary, mandatory mail order is bad for business & more expensive for consumers. Consumers pay higher co-pays and lose their relationship with trusted NYS-licensed pharmacists.

**Q10: Are there any concerns with implementing this recommendation that should be considered?**

No

**Q11: What is the estimated cost of implementing this recommendation and how was this estimate calculated?**

This proposal will not incur any costs to the state since it affects the private insurance market.

**Q12: What is the estimated return on investment (ROI) for this recommendation and how was the ROI calculated?**

Medicaid currently prevents mandatory mail order pharmacy. When patients have difficulty accessing their medications from private insurance their health may deteriorate and in the long term they could end up on Medicaid where the State would end up paying for their treatment.

**Q13: Who are the key individuals/stakeholders who would benefit from this recommendation?**

New Yorkers with serious, life-threatening and chronic conditions, including cancer, hepatitis, infertility, HIV, multiple sclerosis, rheumatoid arthritis, bleeding disorders, and others, are being forced to use mail order pharmacies.

**Q14: Are there suggested measures to accompany this recommendation that would assist in monitoring its impact?**

No

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**Q15: This recommendation was submitted by one of the following** Other (please specify) HIV/AIDS service provider