

Hepatitis C: State of Medicaid Access Report Card

Florida

Estimated Number of Individuals Living with Hepatitis C: 151,000¹



Grade	Summary
<p style="font-size: 2em; font-weight: bold; color: #8B4513;">B+</p>	<p>Liver Damage (Fibrosis) Restrictions: Florida FFS and MCOs do not impose liver damage requirements.</p> <p>Sobriety Restrictions: Florida FFS and MCOs require one-month sobriety prior to initiating treatment, or documentation that the patient is currently receiving counseling for substance use. For patients who seek retreatment, three months of sobriety is required.</p> <p>Prescriber Restrictions: Florida FFS and almost all MCOs allow any doctor to prescribe treatment and no longer require consultation with a specialist. One MCO still requires a specialist consultation.</p> <p>Recommendations to Improve Patient Access:</p> <ul style="list-style-type: none"> • Remove sobriety restrictions. • Restore hepatitis C coverage parity between FFS and MCO programs and maintain transparency regarding prior authorization requirements. • Remove prior authorization requirements. <p><i>Grade Rationale: Florida improved access to hepatitis C medications by removing liver damage requirements in 2016, and by removing prescriber restrictions in 2021. However, the state continues to have strict sobriety restrictions, as well as severe retreatment restrictions. Additionally, although Florida requires MCOs to impose the same requirements as FFS, perfect parity has not been achieved across the whole Medicaid program. With minimal changes, Florida could have open access.</i></p>

Background

As of May 2021, Florida had 4,281,662 individuals enrolled in the Medicaid and Children’s Health Insurance Program (CHIP).³ Florida’s Medicaid program, the Florida Agency for Health Care Administration, contracts with multiple managed care organizations (MCOs) and operates a Fee-For-Service (FFS) program.⁴ Approximately 87 percent of beneficiaries are enrolled in the Statewide Medicaid Managed Care (SMMC) program, and approximately 12 percent participate in FFS.⁵ Florida contracts with the following 11 MCOs: Aetna Better Health, AmeriHealth, Children’s Medical Services Plan, Community Care Plan, Florida Community Care, Humana, Molina Healthcare of Florida, Simply Healthcare, Sunshine Health, UnitedHealthcare, and Vivida Health.⁶ The state is divided into 11 geographic regions, and plan options vary by region.⁷ Additionally, some plans provide services to special populations, such as individuals living with HIV.⁸

State of Medicaid Hepatitis C Treatment Access

Florida Medicaid has increased access to hepatitis C medications as a result of patient advocacy and legal pressure. In June 2016, in response to a demand letter sent by Florida Legal Services, Inc., Legal Aid Society of Palm Beach County, and the National Health Law Program, as well as additional advocacy by the AIDS Institute, Florida Medicaid removed its fibrosis restrictions.²⁷

The most current hepatitis C coverage criteria, updated September 2021, appears to require a diagnosis of chronic hepatitis C to qualify for treatment: the state’s prior authorization form asks whether the recipient has a documented diagnosis of chronic hepatitis C, but the prior authorization criteria does not mention this as a requirement.²⁸ The criteria require at least one-month abstinence from alcohol and substance use as evidenced by a negative urine or blood test collected within the last 30 days prior to initiation of therapy.²⁹ Alternatively, the criteria states that a patient may qualify for treatment if they are receiving substance or alcohol abuse counseling or are seeing an addiction specialist, as documented by their medical records. Criteria for retreatment after treatment failure is more stringent, requiring a minimum of 3 months of abstinence documented by monthly urine or blood tests. Retreatment criteria also includes “submission of psychological support/treatment for a minimum of six months for substance abuse related failure”³⁰ Furthermore, an enrollee may be denied retreatment if the enrollee “continues to engage in high-risk behavior and/or experienced reinfection secondary to high risk behavior,” or if the enrollee is known to have not adhered to the prior treatment regimen.³¹ Any doctor may prescribe treatment and consultation with a specialist is no longer required.³²

Florida requires MCO plans to follow FFS hepatitis C coverage guidelines.⁴⁵ However, there does not seem to be perfect coverage parity across the Medicaid program. Nine out of eleven MCOs use the same forms as FFS, or link back to the FFS prior authorization guidelines.⁴⁶ However, although AmeriHealth Caritas also links to the FFS guidelines, as of December 2021, it still appears to be using an older prior

authorization form, requiring a specialist prescriber.⁴⁷ Sunshine Health appears to have updated its prior authorization form, but not its guidelines, which restricts access for children more strictly than FFS.⁴⁸ Additionally, in a publicly available document, Sunshine Health appears to require patients to sign a “Treatment Agreement Form” promising to use two forms of birth control during treatment and for six months after, and to take a monthly pregnancy test during treatment—none of which is reflected in the Sunshine Health prior authorization guidelines, which are identical to the FFS guidelines.⁴⁹

Liver Damage (Fibrosis) Restrictions

Florida FFS and MCOs do not impose liver damage requirements.⁵²

Sobriety Restrictions

Florida FFS and MCOs require at least one-month abstinence from alcohol and substance use “confirmed by a negative urine or blood test collected within the last 30 days prior to initiation of therapy.”⁵⁵ Alternatively, a patient may qualify for treatment if the patient is “receiving alcohol or substance use counseling services or seeing an addiction specialist as an adjunct to hepatitis C treatment.”⁵⁶ Criteria for retreatment after treatment failure is more stringent, requiring a minimum of 3 months of abstinence documented by monthly urine or blood tests. Retreatment criteria also includes “submission of psychological support/treatment for a minimum of six months for substance abuse related failure.”⁵⁷

Prescriber Restrictions

Florida FFS no longer imposes prescriber restrictions, and any doctor can prescribe treatment.⁶⁰ MCOs follow the FFS requirements for prescriber restrictions, with the exception of AmeriHealth Caritas, which still requires the prescription to be written by or in consultation with a hepatologist, gastroenterologist, infectious disease specialist, or transplant physician.⁶¹

Points of Contact for Questions & Concerns about Florida’s State of Medicaid Hepatitis C Access

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¹ Florida State Profile, HepVu (Accessed December 2021): <https://hepvu.org/state/florida>.

² Medicaid and CHIP in Florida, By-State, Medicaid.gov (Accessed December 2021): <https://www.medicaid.gov/medicaid/by-state/stateprofile.html?state=florida>.

³ Statewide Medicaid Managed Care Program: Plan Contact Information, Agency for Health Care Administration, Last Updated 10/01/2021:

https://ahca.myflorida.com/Medicaid/statewide_mc/pdf/SMMC_Plan_Contact_Information_External.pdf; See also Statewide Medicaid Managed Care, Agency for Health Care Administration: https://ahca.myflorida.com/Medicaid/statewide_mc/index.shtml.

⁴ Share of Medicaid Population Covered Under Different Delivery Systems, Medicaid Managed Care Market Tracker, Henry J. Kaiser Family Foundation (Accessed December 2021): <http://www.kff.org/medicaid/state-indicator/share-of-medicaid-population-covered-under-different-delivery-systems/?currentTimeframe=0&sortModel=%7B%22colld%22:%22Location%22,%22sort%22:%22asc%22%7D>.

⁵ Ibid. Statewide Medicaid Managed Care Program: Plan Contact Information, Agency for Health Care Administration, Last Updated 10/1/2021; See also SMMC Plan Contract Provider Networks, Agency for Health Care Administration, Updated 10/01/21: https://ahca.myflorida.com/medicaid/statewide_mc/pdf/mma/SMMC_Provider_Plan_Contacts_External.pdf.

⁶ Statewide Medicaid Managed Care Plans by Region, Agency for Health Care Administration (Accessed December 2021): https://ahca.myflorida.com/Medicaid/statewide_mc/pdf/SMMC_Region_map.pdf; See also Statewide Medicaid Managed Care, Agency for Health Care Administration (Accessed December 2021): https://ahca.myflorida.com/Medicaid/statewide_mc/index.shtml.

⁷ Specialty Plan Management, Agency for Health Care Administration (Accessed December 2021): https://ahca.myflorida.com/Medicaid/Operations/plan_management/specialty/index.shtml.

⁸ Florida Changes Hep C Drug Policy for Medicaid, NBC Miami, June 1, 2016 (Accessed December 2021): <https://www.nbcmiami.com/news/local/florida-changes-hep-c-drug-policy-for-medicaid/1972021>; See also Kelli Kennedy, Associated Press, *Florida Changes Hep C Policy for Medicaid*, The Washington Times, June 1, 2016 (Accessed December 2021): <http://www.washingtontimes.com/news/2016/jun/1/florida-changes-hep-c-drug-policy-for-medicaid-aft>; See also Fla. Health Officials to Correct Criteria on Hepatitis C Treatment, National Health Law Program, June 3, 2016 (Accessed December 2021): <https://healthlaw.org/news/fla-health-officials-to-correct-criteria-on-hepatitis-c-treatment/>.

⁹ Prior Authorization Criteria, Hepatitis C Direct Acting Antivirals (DAAs), Division of Pharmacy Policy, Agency for Health Care Administration (AHCA), Revised September 17, 2021 (Accessed December 2021): https://ahca.myflorida.com/medicaid/Prescribed_Drug/drug_criteria_pdf/Hepatitis_C_Agents_Criteria.pdf; See also Florida Medicaid Prior Authorization, Hepatitis C Agents, AHCA (Accessed December 2021): https://ahca.myflorida.com/medicaid/Prescribed_Drug/pharm_thera/paforms/Hep_C_Agents_Form.pdf.

¹⁰ Ibid. Prior Authorization Criteria, Hepatitis C Direct Acting Antivirals (DAAs), Division of Pharmacy Policy, Agency for Health Care Administration (AHCA), Revised September 17, 2021 (Accessed December 2021); See also Florida Medicaid Prior Authorization, Hepatitis C Agents, AHCA (Accessed December 2021).

¹¹ Ibid. Prior Authorization Criteria, Hepatitis C Direct Acting Antivirals (DAAs), Division of Pharmacy Policy, Agency for Health Care Administration (AHCA), Revised September 17, 2021 (Accessed December 2021).

¹² Ibid. Prior Authorization Criteria, Hepatitis C Direct Acting Antivirals (DAAs), Division of Pharmacy Policy, Agency for Health Care Administration (AHCA), Revised September 17, 2021 (Accessed December 2021); See also Florida Medicaid Prior Authorization, Hepatitis C Agents, AHCA (Accessed December 2021).

¹³ Statewide Medicaid Managed Care (SMMC) Policy Transmittal 16-12, RE: Drug Prior Authorization Criteria Change for Treatment of Hepatitis C, May 27, 2016, Agency for Health Care Administration (AHCA) (Accessed December 2021): https://ahca.myflorida.com/medicaid/statewide_mc/pdf/plan_comm/PT_16-12_DrugPriorAuthorizationCriteriaChangeForTreatmentOfHepatitisC_5-27-...pdf; See also SMMC Contract Interpretation: 16-01, RE: Coverage and Authorization of Hepatitis C Prescribed Drugs, May 5, 2016, ACHA (Accessed December 2021): http://ahca.myflorida.com/medicaid/statewide_mc/pdf/plan_comm/CL_16-01_Hep-C-Prescribed-Drugs.pdf.

¹⁴ Aetna Better Health of Florida, Pharmacy Prior Authorization Guidelines (Accessed December 2021): <https://www.aetnabetterhealth.com/florida/providers/provider-pharmacy/prior-auth>; Aetna Better Health of Florida, Hepatitis C Agents Prior Authorization Form (Accessed December 2021): https://www.aetnabetterhealth.com/florida/assets/pdf/pharmacy/pa-forms/Hepatitis_C_Agents_Request-Form-FL-ua.pdf; Florida Community Care, Pharmacy Resources: Managed Medical Assistance (MMA) Preferred Drug List for members without Medicare coverage (Accessed December 2021): <https://fchealthplan.com/pharmacy-resources-2/>;

WellCare, Pharmacy: Florida Agency for Health Care Administration (AHCA), Pharmacy (Accessed December 2021): [https://www.humana.com/provider/pharmacy-resources/tools/humana-drug-lists](https://www.wellcare.com/en/Florida/Providers/Medicaid/Pharmacy; Humana Drug Lists: State Specific Formulary Plans (Accessed December 2021): <a href=); Molina Healthcare, Drug Formulary: Managed Medical Assistance (MMA) Preferred Drug List (PDL) (Accessed December 2021): <http://www.molinahealthcare.com/providers/fl/medicaid/drug/Pages/formulary.aspx>; Drug coverage information: Florida Medicaid members, Pharmacy and prescription drugs, Simply Healthcare (Accessed December 2021): <https://www.simplyhealthcareplans.com/florida-medicaid/benefits/pharmacy-benefits.html#pharmacydruginteraction>; UnitedHealthcare Community Plan Medicaid Lookup Tools (Accessed December 2021): <https://www.uhcommunityplan.com/fl/medicaid/community-plan-mpus-mma/find-a-provider-or-pharmacy#collapse-1783477342>; Florida Medicaid Prior Authorization, Hepatitis C Agents, UnitedHealthcare (Accessed December 2021): <https://www.uhprovider.com/content/provider/en/viewer.html?file=%2Fcontent%2Fdam%2Fprovider%2Fdocs%2Fpublic%2Fprior-auth%2Fuhccp-pharmacy-forms%2Fh-1%2FFL-Hepatitis-C-Agents-Prior-Authorization-Form.pdf>; Vivida Health, Pharmacy Prior Authorizations (Accessed December 2021): <https://vividaproduct.wppengine.com/pharmacy-prior-authorizations>.

¹⁵ AmeriHealth Caritas Florida, Prior Authorization (Accessed December 2021): <https://www.amerhealthcaritasfl.com/provider/resources/prior-authorization.aspx>; AmeriHealth Caritas Florida, Hepatitis C Agents Prior Authorization Form (Accessed December 2021): <https://www.amerhealthcaritasfl.com/pdf/provider/resources/pharm-prior-auth/hep-c-agents-form.pdf>.

¹⁶ Sunshine Health, Hepatitis C Agents Criteria (accessed December 2021): <https://www.sunshinehealth.com/content/dam/centene/prior-auth-forms/fl/Hepatitis-C-Agents-Criteria.pdf>; Sunshine Health, Hepatitis C Agents Prior Authorization Form: <https://www.sunshinehealth.com/content/dam/centene/prior-auth-forms/fl/FL-Medicaid-Hepatitis-C-Agents-PA-Form.pdf>.

¹⁷ Sunshine Health, Hepatitis C Treatment Agreement (Accessed December 2021): <https://www.sunshinehealth.com/content/dam/centene/Sunshine/pdfs/Hepatitis-C-Treatment-Regimen-Agreement.pdf>.

¹⁸ Ibid. Prior Authorization Criteria, Hepatitis C Direct Acting Antivirals (DAAs), Division of Pharmacy Policy, Agency for Health Care Administration (AHCA), Revised September 17, 2021 (Accessed December 2021).

¹⁹ Ibid. Prior Authorization Criteria, Hepatitis C Direct Acting Antivirals (DAAs), Division of Pharmacy Policy, Agency for Health Care Administration (AHCA), Revised September 17, 2021 (Accessed December 2021).

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- ⁵⁷ Ibid. Prior Authorization Criteria, Hepatitis C Direct Acting Antivirals (DAAs), Division of Pharmacy Policy, Agency for Health Care Administration (AHCA), Revised September 17, 2021 (Accessed December 2021).
- ⁶⁰ Ibid. Prior Authorization Criteria, Hepatitis C Direct Acting Antivirals (DAAs), Division of Pharmacy Policy, Agency for Health Care Administration (AHCA), Revised September 17, 2021 (Accessed December 2021).
- ⁶¹ AmeriHealth Caritas Florida, Hepatitis C Agents Prior Authorization Form (Accessed December 2021), <https://www.amerhealthcaritasfl.com/pdf/provider/resources/pharm-prior-auth/hep-c-agents-form.pdf>.
- ⁶⁴ Medicaid Director, National Association of Medicaid Directors (Accessed December 2021): <http://medicaiddirectors.org/about/medicaid-directors/>.
- ⁶⁵ Florida Medicaid Pharmaceutical and Therapeutics Committee, Agency for Health Care Administration (Accessed December 2021): https://ahca.myflorida.com/medicaid/prescribed_drug/pharm_thera/index.shtml; See also Procedures for Public Testimony at Pharmaceutical and Therapeutics (P&T) Committee Meetings (Accessed December 2021): https://ahca.myflorida.com/Medicaid/Prescribed_Drug/pdf/Procedures_for_Public_Testimony.pdf; See also Pharmacy Meeting Notices, Agency for Health Care Administration (Accessed December 2021): https://ahca.myflorida.com/Medicaid/Prescribed_Drug/meetings.shtml.