

# Hepatitis C: State of Medicaid Access Report Card

## New York

Estimated Number of Individuals Living with Hepatitis C: 116,000<sup>1</sup>



Grade	Summary
<p style="font-size: 2em; font-weight: bold; color: #8B4513;">A-</p>	<p><b>Liver Damage (Fibrosis) Restrictions:</b> New York FFS and MCOs do not impose liver damage restrictions.</p> <p><b>Sobriety Restrictions:</b> New York FFS and MCOs do not impose sobriety restrictions.</p> <p><b>Prescriber Restrictions:</b> New York FFS does not impose prescriber restrictions. Two MCOs, VNSNY Choice Health Plans and MetroPlus Health Plan, require a prescription to be written by or in consultation with a relevant specialist or HCV treatment-experienced provider</p> <p><b>Recommendations to Improve Patient Access:</b></p> <ul style="list-style-type: none"> <li>• Maintain parity between MCOs and FFS.</li> <li>• Remove the requirement of prior authorization for patients seeking retreatment.</li> </ul> <p><i>Grade Rationale: New York Medicaid has made strides in improving access to hepatitis C medications due in large part to very strong patient advocacy. New York imposes no treatment restrictions, and does not require prior authorization for patients newly initiating hepatitis C treatment. Additionally, because the state's coverage criteria will apply regardless of MCO enrollment starting in 2023, beneficiaries will enjoy consistent access across the entire program. New York's grade may be re-evaluated once their pharmacy benefit transition is completed.</i></p>

### Background

As of April 2021, New York had 6,826,445 individuals enrolled in Medicaid and Children's Health Insurance Program.<sup>2</sup> New York operates a Fee-For-Service (FFS) program and contracts with Managed Care Organizations (MCOs). Most beneficiaries, 77 percent, are enrolled in a MCO plan and the remaining 23 percent participate in FFS.<sup>3</sup> The MCO plans available vary by county and include plans for special needs or populations such as HIV and long-term care.<sup>4</sup> The state plans to transition pharmacy benefits for all beneficiaries from the MCO program back to FFS.<sup>5</sup> This change was originally scheduled for April 1, 2021, but has since been pushed back to April 1, 2023.<sup>6</sup> Once the pharmacy benefit is transitioned, access to hepatitis C treatment will be standardized based on the state's FFS criteria regardless of which MCO an individual is enrolled in. New York's report card may be reevaluated once the transition is completed.

### State of Medicaid Hepatitis C Treatment Access

Due to aggressive and persistent patient advocacy New York Medicaid has relaxed its hepatitis C coverage restrictions. The state's FFS program does not impose any fibrosis, sobriety, or prescriber restrictions with respect to initial hepatitis C treatment requests. In July 2020, the New York State Medicaid Drug Utilization Review Board voted to approve a recommendation to the Commissioner of Health to remove any prior authorization criteria for beneficiaries newly starting hepatitis C treatment (no previous claims within past 12 months).<sup>7</sup> This recommendation was adopted by the Commissioner and subsequently the hepatitis C clinical criteria listed on the state's preferred drug list was updated to only require a diagnosis of chronic hepatitis C.<sup>8</sup> Beneficiaries seeking retreatment (within one year of a previous request) must submit a prior authorization and be screened for treatment readiness, including considerations about drug and alcohol use.<sup>9</sup> The FFS preferred drug list identifies Mavyret, generic Eplclusa, and Vosevi as preferred regimens, and Eplclusa, Harvoni (brand & generic), Sovaldi, Viekira Pak, and Zepatier as non-preferred.<sup>10</sup> Because the state is transitioning all beneficiaries' pharmacy benefit to FFS as of April 1, 2021, this criteria will apply to all beneficiaries regardless of MCO enrollment.

Currently, for those beneficiaries enrolled in an MCO, access to HCV treatment is still subject to utilization management restrictions put in place by the MCO. Of New York Medicaid's 17 MCOs, VNSNY Choice Health Plans and MetroPlus Health Plan impose provider restrictions. VNSNY Choice Health Plans required that medication be prescribed by or given in consultation with a gastroenterologist, an infectious disease specialist, a hepatologist, or a member of a specialty group otherwise trained in hepatitis C treatment.<sup>11</sup> MetroHealth Plan requires that the prescribing provider be a gastroenterologist, an infectious disease specialist, or a hepatologist.<sup>12</sup> None of the plans impose cirrhosis or initial sobriety restrictions. However, Univera Healthcare and Excellus each require that "risk factors... have been identified and addressed" for individuals who were previously cured and are seeking treatment for a subsequent infection.<sup>13</sup>

### Liver Damage (Fibrosis) Restrictions

New York FFS and MCOs do not impose liver damage restrictions.

## Sobriety Restrictions

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New York FFS and MCOs do not impose sobriety restrictions. However, Univera Healthcare and Excellus each require that risk factors, presumably including drug or alcohol use, be addressed prior to treatment for reinfection.

## Prescriber Restrictions

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New York FFS does not impose prescriber restrictions. Two MCOs, VNSNY Choice Health Plans and MetroPlus Health Plan, require a prescription to be written by or in consultation with a relevant specialist or HCV treatment-experienced provider.

## Points of Contact for Questions & Concerns about New York's State of Medicaid Hepatitis C Access

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<sup>1</sup> New York State Profile, HepVu: <https://hepvu.org/state/new-york>.

<sup>2</sup> Medicaid and CHIP in New York, By-State, Medicaid.gov: <https://www.medicaid.gov/medicaid/by-state/stateprofile.html?state=new-york>.

<sup>3</sup> Share of Medicaid Population Covered Under Different Delivery Systems, Medicaid Managed Care Market Tracker, Henry J. Kaiser Family Foundation: <http://www.kff.org/medicaid/state-indicator/share-of-medicaid-population-covered-under-different-delivery-systems/?currentTimeframe=0&sortModel=%7B%22colId%22:%22Location%22:%22sort%22:%22asc%22%7D>;

See also Managed Care, New York State Department of Health: [https://www.health.ny.gov/health\\_care/managed\\_care](https://www.health.ny.gov/health_care/managed_care).

<sup>4</sup> Managed Care by County – Mandatory, New York State Department of Health: [https://www.health.ny.gov/health\\_care/managed\\_care/mmc\\_counties/mandatory\\_with\\_ssi.htm](https://www.health.ny.gov/health_care/managed_care/mmc_counties/mandatory_with_ssi.htm).

<sup>5</sup> New York State Department of Health, Pharmacy Carve Out: [https://health.ny.gov/health\\_care/medicaid/redesign/mrt2/pharmacy\\_carve\\_out/](https://health.ny.gov/health_care/medicaid/redesign/mrt2/pharmacy_carve_out/). See also New York State Medicaid Managed Care (MMC) Pharmacy Benefit Information Center, Frequently Asked Questions: <https://mmcdruginformation.nysdoh.suny.edu/faq/>; See also Transition (Carve-Out) of the Pharmacy Benefit from Managed Care (MC) to Fee-For-Service (FFS), New York State Department of Health: [https://health.ny.gov/health\\_care/medicaid/redesign/mrt2/pharmacy\\_carve\\_out/pharm\\_carve\\_out\\_faq.htm](https://health.ny.gov/health_care/medicaid/redesign/mrt2/pharmacy_carve_out/pharm_carve_out_faq.htm).

<sup>6</sup> The Pharmacy Carve-Out Has Been Delayed Two Years, until April 1, 2023, New York State Department of Health: [https://newyorkfhsc.com/downloads/providers/NYRx\\_provider\\_notification\\_20210415.pdf](https://newyorkfhsc.com/downloads/providers/NYRx_provider_notification_20210415.pdf).

<sup>7</sup> Medicaid Drug Utilization Review Board Meeting Summary for July 23, 2020, Department of Health, New York State:

[https://www.health.ny.gov/health\\_care/medicaid/program/dur/meetings/2020/07/dur\\_mtg\\_summary.pdf](https://www.health.ny.gov/health_care/medicaid/program/dur/meetings/2020/07/dur_mtg_summary.pdf).

<sup>8</sup> Preferred Drug List revised February 4, 2021, New York State Medicaid Fee-For-Service Pharmacy Programs: [https://newyorkfhsc.com/downloads/providers/NYRx\\_PDP\\_PDL.pdf](https://newyorkfhsc.com/downloads/providers/NYRx_PDP_PDL.pdf). NYS Medicaid accepts one positive HCV RNA result as proof of a diagnosis of chronic hepatitis C.

<sup>9</sup> New York State Medicaid Pharmacy PA Programs, Hepatitis C Agents – Direct Acting Antivirals Prior Authorization (PA) Worksheet, MagellanRx Management:

[https://newyorkfhsc.com/downloads/providers/NYRx\\_PDP\\_PA\\_Worksheet\\_Prescribers\\_HepC.docx](https://newyorkfhsc.com/downloads/providers/NYRx_PDP_PA_Worksheet_Prescribers_HepC.docx); See also Chronic Hepatitis C (CHC) Infection Check List for Prior Authorization Requests, New York Department of Health: [https://newyorkfhsc.com/downloads/providers/NYRx\\_PDP\\_CHC\\_checklist.pdf](https://newyorkfhsc.com/downloads/providers/NYRx_PDP_CHC_checklist.pdf).

<sup>10</sup> Preferred Drug List revised February 4, 2021, New York State Medicaid Fee-For-Service Pharmacy Programs: [https://newyorkfhsc.com/downloads/providers/NYRx\\_PDP\\_PDL.pdf](https://newyorkfhsc.com/downloads/providers/NYRx_PDP_PDL.pdf).

<sup>11</sup> Prior Authorization Requirements, VNSNY Choice Health Plans: <https://www.vnsnychoice.org/wp-content/uploads/2021/09/VNSNY-CHOICE-Total-Prior-Authorization-October-2021.pdf>.

<sup>12</sup> Hepatitis C Prior Authorization Request Form, MetroPlus Health Plan: [https://eastmainsiteprod.sablob.core.windows.net/cms/metroplusmvc12/media/provider/forms/pa%20for%20specialty%20med/hepatitis-c-prior-authorization-request-form\\_1.pdf](https://eastmainsiteprod.sablob.core.windows.net/cms/metroplusmvc12/media/provider/forms/pa%20for%20specialty%20med/hepatitis-c-prior-authorization-request-form_1.pdf).

<sup>13</sup> Pharmacy Drug Management Policy, Univera Healthcare: <https://provider.univerahealthcare.com/documents/20152/127109/Hepatitis-C-Commercial.pdf/d65fea7c-4268-6c8d-58c1-51ae51b7f63c?t=1607101820783>;

Pharmacy Drug Management Policy, Excellus: <https://provider.excellusbcbs.com/documents/20152/127109/Hepatitis-C-Commercial.pdf/d65fea7c-4268-6c8d-58c1-51ae51b7f63c?t=1607101820783>.

<sup>14</sup> New York, Medicaid Directors, National Association of Medicaid Directors: <http://medicaiddirectors.org/about/medicaid-directors>.