

May 6, 2025

Senator Donna Bailey
Representative Kristi Mathieson
Committee On Health Coverage, Insurance and Financial Services
100 State House Station
Augusta, ME 04333

RE: LD 1687 – An Act to Clarify and Increase Access to HIV Prevention Medications

Dear Senator Bailey, Representative Mathieson and members of the HCIFS Committee:

On behalf of Harvard Pilgrim Health Care, a Point32Health company, I am writing to express our strong opposition to LD 1687 – An Act to Clarify and Increase Access to HIV Prevention Medications. Harvard Pilgrim is a leading not-for-profit health and well-being organization that currently serves approximately 50,000 Maine fully-insured commercial members. We are committed to providing access to high-quality and affordable health care, improving the health and wellness of our members, and creating healthier communities through our health plans.

Current law requires commercial insurance plans to cover at least one HIV preexposure prophylactic (PrEP) drug for each method of administration with no member cost share and no prior authorization requirements. If passed, LD 1687 would expand this mandate by requiring plans to cover at least one long-acting HIV PrEP injectable drug of each duration with no member cost share. It would further allow pharmacists to administer the injectable PrEP drug and require plans to directly reimburse pharmacists for the administration of that drug at the same rate that the plan reimburses a physician for equivalent services.

Harvard Pilgrim already provides appropriate coverage of HIV PrEP drugs, as required under the Affordable Care Act and Maine state law. Apretude is currently the only long-acting injectable HIV PrEP drug approved by the FDA with an administration of every two months and is covered for our Maine members. However, the FDA is reviewing a second long-acting injectable HIV PrEP drug, Sunlenca, which would require administration twice per year. If LD 1687 passes, plans would be required to expand their formularies to include coverage of Sunlenca for PrEP at no member cost share and with no prior authorization as there are limited FDA approved injectable HIV PrEP drugs on the market.

Apretude and Sunlenca are both high-cost drugs. Requiring plans to expand their formulary when there are other options already available significantly limits plans' ability to manage costs. Plans need flexibility in coverage options and formulary design. Long-acting injectable HIV PrEP drugs should be considered one method of administration, regardless of duration, giving plans the flexibility needed to balance coverage and cost. Mandating coverage of these newer, high-cost drugs will increase costs for everyone via higher premium rates.

LD 1687 would also expand pharmacist scope of practice beyond their traditional dispensing, drug management, and counseling roles, which is covered through a member's pharmacy benefit, by allowing the pharmacist to administer a long-acting injectable HIV PrEP drug to a patient. However, injectable HIV PrEP drugs are medical drugs and are not available at standard pharmacies. Apretude is only available through the buy and bill model from a specialty pharmacy, where the provider buys the drug and then bills

the plan for the cost and administration of the drug. We are not aware of any situation where a specialty pharmacy would administer an injectable drug to a patient.

Finally, LD 1687 would require plans to directly reimburse pharmacists for the administration of injectable HIV PrEP drugs at the same rate that we would reimburse a physician for the same service. Harvard Pilgrim does not directly contract with pharmacists as providers. All reimbursement to pharmacies occurs through our contracted pharmacy benefit manager (PBM) and our PBM is not able to reimburse medical codes or claims. Even if it was possible to directly reimburse a pharmacist for the administration of a long-acting injectable HIV PrEP drug, not all contracted providers are reimbursed at the same rate. So, it is not clear at what rate we would be required to reimburse.

Harvard Pilgrim appreciates the opportunity to provide comments on LD 1687. For the reasons described above, we respectfully urge you find LD 1687 Ought Not to Pass as it would not be feasible to implement and would ultimately increase costs for our members. Should you have any questions, please contact me at any time.

Sincerely,

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