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April 15, 2021

Honorable Heather Sanborn, Senate Chair
Honorable Denise Tepler, House Chair
Joint Standing Committee on Health Coverage, Insurance and Financial Services
100 State House Station
Augusta, Maine 04333-0100

Re: L.D. 1115, “An Act to Improve Access to HIV Prevention Medications”

Dear Senator Sanborn, Representative Tepler, and Members of the Joint Standing Committee on Health Coverage, Insurance and Financial Services:

On behalf of Anthem Blue Cross and Blue Shield, I would like to offer the following comments with respect to the draft amendment circulated earlier today.

The proposed amendment will require coverage of all forms of administration of HIV PrEP and PEP medications. We are concerned that this will require coverage of forms of administration that have not been authorized or do not yet exist, the cost and efficacy of which is unknown. In order to guard against unintended consequences, it is imperative that prior authorization and step therapy be allowed, particularly if pharmacists will be allowed to dispense without a prescription from a provider. We would also suggest that the legislation should be clarified that its provisions apply only to medications prescribed for the *prevention* of HIV and not to situations involving the *treatment* of someone who has been diagnosed with HIV.

The draft amendment also provides that dispensing or administration of the medications by an out of network pharmacy provider is not required unless there are out of network benefits under the enrollee’s plan. Pharmacies providers are not the only providers authorized to dispense or administer these drugs so we would suggest the deleting the word “pharmacy” in section 4317-D(2)(B).

With respect to coverage of the lab tests associated with the PrEP medications, it is our understanding that it may not be permissible for HSA plans or catastrophic plans to provide first dollar coverage unless it is a preventive service with an A or B recommendation from the United States Preventive Services Task Force (USPTF). As a result, it may be advisable to require coverage of associated lab tests that have such a recommendation.

These comments are based on a quick review of the proposed amendment and we may have additional comments to offer.

Thank you for the opportunity to share these comments. I would be happy to answer any questions you may have.

Sincerely,

A handwritten signature in blue ink, reading "Kristine M. Ossenfort". The signature is written in a cursive, flowing style.

Kristine M. Ossenfort, Esq.
Senior Director, Government Relations