



PATIENT ACCESS
for a
HEALTHY TEXAS

Working together for a healthy Texas

ADVOCATE TOOLKIT

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Welcome!

PATIENTS NEED THE RIGHT MEDICINE AT THE RIGHT TIME

With strong bipartisan support, Texas legislators have passed laws over the past 13 years to protect some of our state's most vulnerable Texans by ensuring they have access to the medicine their doctor determines is best for their care and well-being.

Thanks to the protections provided by these laws and agency rule-making and processes, insurance companies are prohibited from implementing arbitrary administrative and medical hurdles for patients in the Texas Medicaid program that decrease access to needed medicines initially prescribed by doctors for their Medicaid patients. These protections are critical for patients whose health is dependent on a specific medicine or a targeted combination of therapies — and whose well-being could be seriously threatened by a change of course in or delay in receiving medicines.

Patient protections of this type are crucial as insurance companies move to impose rules requiring a patient to be moved from the drugs proven to best treat their condition and instead placed on medicines that may prove less effective or even ineffective under the misconception that these medicines are always lower cost. Under some of these insurance mandates, patients must “fail” using lower cost drugs or therapies before they are allowed to return to the medicine initially prescribed by a doctor and proven to work.

These patient protections are due to expire in 2017. In response, patient and health care groups are joining together to urge Texas lawmakers to extend these patient protections. The threat to vulnerable patients is too great to let these protections expire.



ABOUT THE ISSUE

Healthcare professionals have the expertise to know what is best for patients and must have access to a full range of therapeutic options to use as they see fit for their patients. They should not have to jump through burdensome administrative hoops to secure the most appropriate therapy. Ultimately, healthcare professionals, not insurance companies, should make the determination of the best course of treatment and medications for a patient.

If we change the current program, Texas runs the risk of losing hundreds of millions of dollars in rebates – which is a method of finance in the budget. The current program balances both costs and patient safety– The insurance company carve-in scheme relies on reductions in access for Texas patients. In addition, the open public process for stakeholder input, including that of medical professionals, is eliminated. Only the insurance companies – **not** patients, **not** doctors, and **not** the State—stand to benefit.

THE CURRENT PROGRAM WORKS FOR PATIENTS AND FOR TEXAS

- Texas spends the lowest per-enrollee on prescription drugs.
- Texas average net cost per prescription is lower than the national average.
- Texas spends less than 47 other states on Medicaid.
- Texas leads the nation in percentage of rebates negotiated with manufacturers, ranked 3rd nationally.

The current program treats all patients equally, regardless of what part of the state they call home.

THE SITUATION

Insurance companies are *once again* actively selling a plan to adopt a total “carve-in” of the state’s Medicaid Vendor Drug Program, claiming that Texas is potentially losing out on savings. Based largely on giving health plans more power to create restrictions on access to medicines, the “carve-in” scheme has been rejected by the Texas Legislature over and over again.



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THE CURRENT SYSTEM WORKS— BALANCING COST AND PATIENT SAFETY

There are important patient protections in place:

- Requiring a quick response to all prior authorization requests
- Permitting emergency prescription fills while prior authorization requests are pending
- Doctors are involved in the development of the preferred drug list, utilizing medical knowledge and expertise
- Cost is factored into development, but safety and efficacy are factored in as well
- Patients have an avenue for participation and public comment
- Patients who are particularly sensitive to formulation changes have a wide range of medications available to treat their condition, preventing costly hospitalizations

Overly aggressive fail first protocols can prevent a patient from getting the right medicine in a timely manner. Fail first requirements that disrupt continuity of care are not good medicine. Fail first may prove to be more costly in both dollars and treatment effectiveness. Doing away with the current system could create arbitrary and unnecessary barriers to access medically necessary drug therapies for patients and ultimately lead to increased cost to the State. Investing in medicines on the front end lowers overall healthcare costs in the long-term.

The current program recognizes the importance of life-improving and life-saving innovator drugs and their role in controlling disease and related costs.



TEXAS COULD LOSE HUNDREDS OF MILLIONS OF DOLLARS

- Texas operates the nation's third largest Medicaid program. Yet, its retail pharmacy costs rank 43rd of the 50 states and ninth out of the ten largest states.
- Manufacturers pay \$1.5 billion annually in prescription drug rebates.
- Texas receives additional or "supplemental" rebates on top of the statutorily-required Medicaid drug rebates.
- Supplemental rebates amount to nearly \$138 million annually.
- Texas has been very successful in leveraging its significant negotiating power to secure significant rebates on innovative medicines.
- Texas has one of the lowest Medicaid retail drug spends in the nation at 3.5%.
Clearly, the state has been extremely successful in managing pharmacy costs under the current system.



Sample Patient Testimonial

Edith Gendron

Orlando, FL

- “My physician has been treating me for ten years. She knows what my diagnoses are, and how to best treat and cure those illnesses that can be cured. To have my excellent care disrupted with fail first and prior authorization bureaucratic action is unconscionable and unacceptable.”
- As a Type II diabetes patient prescribed Victoza, Edith had to go through a prior-authorization process twice with her new insurer to receive the same medicine she had been taking, forcing her to go weeks without medication. Her other option was to fail first on a medication that she had never taken and wasn't prescribed to her.
- A health advocate was a necessity for her in wading through the complications of the system.



Her Story

Edith's physician prescribed Victoza for treating her Type II diabetes. She was using this medication when covered by her insurance company. However, upon transfer to a new insurance company, she was unable to obtain a refill in a timely manner due to their determination that this medication needed a prior-authorization. Edith was unable to afford the cost of the medication. She was forced to go two weeks without her medicine or fail first on a medication that she was not prescribed.

Patients in our state suffer because they have to adhere to limitations on access to medications, prioritizing health secondary to cost. These restraints on access to treatment do not protect patients; they only serve to interfere with the doctor-patient relationship. The treatment decision should be between the doctor and the patient, without bureaucratic interference.



Social Media Cheat Sheet

Below are simple tools to help promote the Patient Access for a Healthy Texas campaign on your social media networks, including hashtags and sample social media posts.

ONLINE:

Facebook: [facebook.com/ TxPatientSafety](https://facebook.com/TxPatientSafety)

Twitter: [@PatientAccessTX](https://twitter.com/PatientAccessTX)

Instagram: [@PatientAccessTX](https://www.instagram.com/PatientAccessTX)

YouTube: [YouTube.com/PatientAccessTX](https://www.YouTube.com/PatientAccessTX)

CAMPAIGN HASHTAG:

#PatientAccessTX

#IamTXmedicaid

#RightMedicineRightTime

TOPICAL HASHTAGS:

#TXlege

SAMPLE FACEBOOK POSTS:

Healthcare professionals have the expertise to know what is best for patients and must have access to a full range of therapeutic options to use as they see fit. Join **@Patient Access for a Healthy Texas** today to ensure Texas' patients receive the right medicine at the right time. www.PatientAccessTexas.com #PatientAccessTX #RightMedicineRightTime #txlege

SAMPLE TWEETS:

Join @PatientAccessTX to protect the doctor/#patient relationship. #TX patients need #RightMedicineRightTime. #txlege

#Texas' patients need #RightMedicineRightTime. Join @PatientAccessTX today to ensure #PatientAccessTX #txlege

If you are planning any social media activities, including blog posts about patient access issues, please let us know. Please feel free to contact Caroline Craven at (512) 236-1001 or caroline@jhlcompany.com with any questions.



Ways to Engage

Patient Access for a Healthy Texas champions are critical to raising awareness about the need for ensuring patient access in Texas and there are many ways you can help spread the word. Please let us know how you'd like to help.

- Provide a written testimonial
- Testify at legislative committee meetings
- Attend in-person meetings with legislators
- Send emails to legislators
- Make phone calls to legislators
- Participate in Patient Access for a Healthy Texas events
- Support Patient Access for a Healthy Texas on Digital Media
- Become a Patient Access for a Healthy Texas Spokesperson
- Submit an opinion editorial or letter to the editor about Patient Access for a Healthy Texas to your local newspaper

Are there other ways you'd like to promote Patient Access for a Healthy Texas that aren't listed?

Name: _____

Email: _____

Phone: _____

Address: _____

Please fill out the form and return to Caroline Craven at caroline@jhlcompany.com. For questions please call (512) 236-1001.

We look forward to working with you throughout this campaign and thank you again for your commitment to ensuring patient access in Texas by sharing news about Patient Access for a Healthy Texas with those in your community.



Share Your Story

Patient Access for a Healthy Texas champions are critical to raising awareness about the need for ensuring patient access in Texas. If you have had an experience with patient access issues in Texas and would like to share your story with us, please use the form below.

Name: _____

Email: _____

Phone: _____

Address: _____

Circle One: Patient Physician Caretaker Other: _____

Please tell us about your experience with patient access issues in Texas.

Please fill out the form and return to Caroline Craven at caroline@jhlcompany.com. For questions please call (512) 236-1001.

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