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Pharmacy Benefit News

Issue # 294 | January 12th, 2017



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HHS Takes Next Step in Advancing Health Equity Through ACA

"In 2015 the Department of Health and Human Services (HHS) issued a proposed rule to advance health equity and reduce disparities in health care. The proposed rule, Nondiscrimination in Health Programs and Activities, extends all civil rights obligations to the Health Insurance Marketplaces and HHS health programs and activities, and clarifies the standards HHS applies in implementing Section 1557 of the Affordable Care Act (ACA) across all bases of discrimination. The proposed rule establishes that the prohibition on gender discrimination includes discrimination based on gender identity. It also includes requirements for effective communication for individuals with disabilities and enhanced language assistance for people with limited English proficiency."

"While the HHS Office for Civil Rights has already been accepting complaints under the ACA, the proposed rule makes clear that individuals can seek legal remedies for discrimination under Section 1557. The proposed rule applies to Health Insurance Marketplaces, any health program that HHS itself administers, and any health program or activity, any part of which receives funding from HHS. The proposed rule also extends these nondiscrimination protections to individuals enrolled in plans offered by issuers participating in the Health Insurance Marketplaces and explicitly bars any marketing practices or benefit designs that discriminate on the basis of race, color, national origin, gender, age, or disability. All the plans of insurers participating in the Marketplace are covered by the proposed rule."

Source: HHS News Release (09/03/15)

Commentary:

The promulgation of values is an issue for health care as well as politics and human discourse. It is interesting that religions promulgate the Golden Rule, but human institutions have to make rules and support them with legal remedies. These HHS rules bring the recent discussions of gender identity into focus in health care. While there is a significant social discussion of gender identity, one of the byproducts is protections in the health care setting. This brings into focus, that health care may not be the motivator, but it must react and set standards. Without any standards, health care is biased and discriminatory. It remains to be seen if the social and political motivators will allow these proposals or modify them. In this case, health care is the beneficiary, or lack thereof, of social discourse.

Analytics at Work: A Real World Example

And The Winner Is...

A Health Plan requested assistance with evaluating offers from several PBMs in an RFP. Some PBM vendors were full service, some were transparent and some were Pharmacy Benefit Administrators (PBAs).

Pro Pharma consulted on the differences between the proposals using Pro Data Analytics' in depth evaluations of the data. The problem was compounded by a very fast turn-around and the need for analyses filtered by health plans, benefits, pharmacy network providers, chain pharmacy vs. independent retail requirements for generic pricing, various MAC lists applied to different subsets of the network, mail vs. retail vs. specialty evaluations, etc. The Pro Pharma consultations explained, simplified and categorized the various options by financial impact, achievement of each Plan's compliance with national standards, and utilization impact.

The fast turn-around required multiple comparative tables supported by detailed documentation to allow for the RFP team to quickly evaluate the available options. Evaluations based on 100% claims reviews supported by digital copies of formularies, MAC lists, Plan designs, and network identification lead to verifiable comparisons of different vendor types (i.e., full service vs. PBA). The digital nature of the data for evaluation allowed for fast turn-around and affordable prices.

[Learn More](#)

Kmart Suing Catamaran (a PBM) For Underpaying Pharmacies Payments for Prescription Drugs

Kmart has joined its name to the list of community pharmacies suing the PBM Catamaran, claiming the policies of the PBM have left pharmacies losing millions of dollars in costs of drugs they provide to consumers, while Catamaran's profits grow. Kmart filed suit in Cook County Circuit Court against Catamaran, demanding at least \$38 million in damages and court orders requiring Catamaran to reveal pricing and reimbursement rates, as well as other accounting information.

The complaint alleges three counts against Catamaran, including breach of contract and violations of state and federal laws governing prescription drug cost reimbursements. In its complaint, Kmart alleges that since 2012 Catamaran has steadily cut what it pays them, while turning a deaf ear to complaints and appeals, or ignoring them outright. Kmart alleged Catamaran has steadfastly refused to let Kmart see its reimbursement rate information, even when such disclosures may be required by law.

Source: Cook County Record (09/03/2015) Bilyk, Jonathan

Commentary: This is another move to force transparency in pricing. While all health care stakeholders are under the microscope, Pharmacy Benefit Managers (PBMs) have blamed pharmaceutical manufacturers. However, non-transparent maximum allowable cost (MAC) pricing forces pharmacies to accept prices that are below cost for some and above cost for other prescriptions. Some States are forcing transparency laws, and cost-plus pricing, but this is not universal. When patients are now paying a greater share of the cost, all stakeholders are subject to scrutiny. In this case, pharmacy chains are leveraging their muscle. This is just the beginning.

Commentary: Some Clinical Pearls

Antipsychotics are NOT for Dementia Symptoms --

The American Geriatrics Society (AGS) has issued updated "Choosing Wisely" guidelines that include not using antipsychotic medications to treat patients with certain dementia symptoms. The AGS also said dementia patients should not be prescribed cholinesterase inhibitors without regular cognitive assessments and monitoring of gastrointestinal effects.

Source: [Healio](#)

Limit Statin Therapy Based On Age and Gender --

Researchers wrote in the Journal of the American College of Cardiology that using age-based and gender-specific risk thresholds for cholesterol guidelines may lead to better statin medication recommendations. The study included 3,685 patients in the Framingham Offspring Study.

Source: [PhysiciansBriefing.com](#)



RFP Review[™]

Do you want to take the RFP process out of the "dark ages" and into the electronic and web-based world?

Are You Tired of Reading Dozens of Bulky 3-Ring Binders?

Is Your RFP Process Labor-Intensive and Time-Consuming?

PRO PHARMA uses proprietary electronic templates to help you decide organizational priorities. Weighted vendor scoring methodology makes the final decision making process easier than ever before. We will manage the RFP process from the first compilation of potential vendors through the final selection of the PBM or PBA vendor using email and web-based communications.

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Pro Pharma Pharmaceutical Consultants, Inc. has assisted payers and providers for over 30 years to maintain quality while controlling costs.

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