

To: Joint Ways and Means Subcommittee on Human Services
From: Alicia Temple, Oregon Law Center
Date: March 13, 2019
Re: HB 5525, OHA Budget and Hepatitis C Funding

Co-Chairs Beyer and Nosse and members of the committee,

On behalf of the Oregon Law Center (OLC), I respectfully request your support for OHA's budget to include funding for Hepatitis C for OHP members who need treatment.

The Oregon Law Center represents Oregon residents who are Medicaid enrollees diagnosed with Hepatitis C ("HCV"). These clients had been prescribed medically necessary curative treatment, but had been denied coverage due to Oregon's overly restrictive Medicaid Pharmaceutical Services Prior Authorization Criteria. These Criteria violated federal and state law by denying life-saving treatment to Oregonians with HCV until their disease has progressed to a very advanced stage and in 2016, OLC sent a demand letter seeking changes on behalf of our clients. Over the past few years we've been working with OHA to find a remedy to this concern on behalf of our clients.

The previous policy of restricting Medicaid recipients' access to HCV treatment failed to address the especially urgent health crisis we face in Oregon, **where we have the highest death rate in the nation from HCV**. An average of 441 Oregonians died each year from HCV between 2009 to 2013. The mortality rate from HCV in Oregon is six times higher than the mortality rate from HIV.

This deadly disease also disproportionately affects racial minorities. In Oregon, American Indians/Alaska Natives and African Americans have rates of HCV that are significantly higher than white Oregonians. The HCV mortality rate among these minority populations is also twice the rate of similarly situated white Oregonians, making treatment of HCV a racial equity issue.

Since 2016 there have been incremental changes to the prior authorization requirements, but OLC was relieved by the recommendation in November 2018 of the Oregon Drug Use Review/Pharmacy & Therapeutics (P&T) Committee to expand treatment access to all OHP patients with chronic hepatitis C, without fibrosis restrictions. This is the solution we have been seeking since the beginning. The change went into place March 1 and is a significant step in access for Oregonians with HCV.

This change is in line with OHA's goal of serving the health needs of all Medicaid beneficiaries, and its strong commitment to health equity. According to OHA and the Governor's Recommended budget, implementing this change requires an addition of \$10million from the GF. OLC requests that this funding be a part of HB 5525 to order to meet the mission of OHA and reduce the deadly consequences of not treating Hepatitis C.