

# Access to Critical Medications Coalition

July 20, 2007

The Honorable Gordon Smith  
404 Russell Office Building  
Washington, DC 20510

Dear Senator Smith:

We are writing on behalf of the Access to Critical Medications Coalition to offer our strong support for your Medicare Access to Critical Medications Act. The Coalition represents a diverse group of national and community-based patient, provider and advocacy organizations dedicated to ensuring that Medicare beneficiaries with HIV/AIDS, mental illnesses, epilepsy, cancer, organ failure, and autoimmune diseases have reliable access through Medicare Part D to the prescriptions that they need to stay healthy.

The Medicare Access to Critical Medications Act will strengthen protections for these medically vulnerable populations by codifying the requirement that Medicare Part D plans cover "all or substantially all" drugs in the six classes of drugs that are critical to treating HIV/AIDS, mental illnesses, cancer, epilepsy, autoimmune diseases such as Crohn's, and transplant patients. As you may know, coverage of nearly all of the drugs in these categories is standard practice among state Medicaid programs and private insurers because it is more cost effective and better for people with these conditions when clinicians have the flexibility to prescribe the drug or drugs most appropriate to manage the condition according to factors unique to them.

Passage of this bill is important because the current protections for these drug classes offered in Centers for Medicare and Medicaid (CMS) guidance are not guaranteed beyond this year and are being ignored by drug plans with no risk of sanctions. Surveys of HIV and mental health medical providers indicate that Medicare beneficiaries with these conditions have been hospitalized or experienced dangerous treatment interruptions due to challenges with Medicare Part D coverage, including burdensome prior authorization processes. Many of the beneficiaries reporting problems are very low-income and live on Supplemental Security Income (SSI) checks or modest disability payments. Paying out of pocket for drugs denied by Medicare Part D drug plans is not an option for most.

On behalf of Medicare beneficiaries with these life-threatening illnesses, thank you for your leadership in working to ensure access to critical medications through Medicare Part D by requiring drug plans to cover "all or substantially all" of the drugs available to treat these serious, but treatable conditions.

Sincerely,  
The Access to Critical Medications Coalition

**AIDS Institute • American Academy of HIV Medicine • American Academy of Neurology • American Psychiatric Association • Cancer Leadership Council • Epilepsy Foundation • HIV Medicine Association • Mental Health America • National Alliance for the Mentally Ill • National Alliance of State & Territorial AIDS Directors • National Kidney Foundation • Project Inform • The TEN Project**

**For more information:**  
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