May 3, 2018

Alex Azar, Secretary
The U.S. Department of Health & Human Services
Hubert H. Humphrey Building
200 Independence Avenue, S.W.
Washington, DC 20201

Dear Secretary Azar:

We, the undersigned health care providers, write to alert your attention to a new report, Hepatitis C: The State of Medicaid Access, jointly published by the National Viral Hepatitis Roundtable (NVHR) and Harvard Law School's Center for Health Law Policy and Innovation (CHLPI). This report reveals that many Medicaid programs across the country impose discriminatory, unlawful restrictions that prevent Americans from being cured of the hepatitis C virus (HCV).

As you likely know, HCV kills about 20,000 Americans per year – more people than all 60 nationally notifiable infectious diseases combined. At least 3.5 million Americans are living with HCV, according to the most conservative estimates. The opioid crisis has rapidly fueled the spread of the virus; injection drug use is the cause of most new infections. From 2010 to 2015, the number of new HCV infections jumped nearly 300 percent. HCV is also the leading cause of liver cancer —the fastest-growing cause of cancer mortality in the U.S., killing twice as many Americans now than it did in the 1980s.

The good news is that a cure exists for HCV, making elimination of the virus as a public health threat possible. But contrary to clear guidance from the Centers for Medicare and Medicaid Services (CMS) cautioning states not to impose restrictions that were not medically necessary, most states limit access to the cure by imposing restrictions based on disease severity, sobriety, and/or prescriber type. Many programs even require patients to wait to be treated until they have advanced liver disease – which can cause liver cancer even after the patient is cured. Most jurisdictions mandate sobriety periods, despite unequivocal scientific evidence that the HCV cure is equally effective in people who use drugs and/or alcohol. These restrictions directly contradict the standard of care outlined in the treatment guidelines established by the American Association for the Study of Liver Diseases (AASLD) and the Infectious Diseases Society of America (IDSA).

As providers, we are particularly troubled by these restrictions. If HCV is diagnosed and treated early, the progression to advanced liver disease as well as transmission to others can be prevented. Limiting treatment to those individuals with the most advanced disease not only puts individuals at risk for the development of advanced liver disease and higher risk of liver cancer, but also compromises public health. Furthermore, the sobriety requirement perpetuates the discrimination felt by people living with HCV as well as people who use drugs. The stigma surrounding alcohol and drug use often discourages people who use drugs or alcohol from seeking HCV testing and treatment. When states impose sobriety-based barriers to treatment, they not only miss an opportunity to curb the spread of HCV, they also make it more difficult for providers to engage with a population especially at risk for HCV.

We urge HHS to do everything within its power to enforce the CMS guidance and ensure that that all jurisdictions open access to HCV treatment for Medicaid beneficiaries without delay. If you have questions or concerns, please feel to contact Elizabeth Paukstis at epaukstis@nvhr.org. Thank you for your consideration.

Sincerely,

Stacey Trooskin, MD, PhD Medical Advisor, National Viral Hepatitis Roundtable

Jennifer Lom, MD, Assistant professor of medicine, Emory University

Kristi Quairoli, PharmD, Grady Health System

Lesley Miller, MD, Medical Director, Grady Liver Clinic, Emory University School of Medicine

Shubha Kerkar, MD, Medical Director of Hepatitis Center of Excellence at DAP Total Care Desert AIDS Project, IDSA- American Association of Infectious Diseases, IDAC Infectious Diseases Association of California, AASLD: American Association for Study of Liver Diseases, AAHIVM-American Academy of HIV Medicine, HIVMA- HIV Medical Association, ACP- American College of Physicians

Lynn E. Taylor, MD, Director, RI Defeats Hep C

Lisa Abbott, APRN, Family Nurse Practitioner, Kalihi Palama Health Center

Gina Simoncini, MD MPH, Associate Professor of Clinical Medicine, Lewis Katz School of Medicine at Temple University

Sophy Wong, MD, Medical Director, HIV ACCESS, Bay Area AETC

Peter Gregg, MD, MPH, Medical Director, Jai Medical Center, Associate Medical Director, Jai Medical Systems, Managed Care Organization, Inc., Jai Medical Center, Jai Medical Systems, MCO, Inc.

Claire Rausch, Masters in Nursing, FNP (BC), PsychMH CNS (BC), APRN, Hawaii Department of Health, Oahu Community Mental Health Centers Branch

Jean McDermott, RN, Public Health Nurse, State of Hawaii Department of Health Public Health Nursing Branch

Ellen Tedaldi, MD, MACP, Director, Temple Comprehensive HIV Program, Professor of medicine, Lewis Katz School of Medicine, American Academy of HIV Medicine

Kelly Lattanzi, MSN, CRNP, Temple University Hospital

David Koren, PharmD, BCPS, AAHIVP, Clinical Pharmacist Specialist - HIV/Infectious Diseases, Temple University Hospital

Christina Wang, DNP, MPH, APRN,AGPCNP-C, Nurse Practitioner, The CHOW Project & Life Foundation

Danny Toub, MD, Lead Clinician, Santa Rosa Community Health

Russell Perry, MD FAAFP, Associate Chairman FM, Bronx Lebanon Family Medicine

Forrest Batz, PharmD, Consulting Pharmacist, Adjunct Faculty, University of Hawai‘i at Hilo College of Pharmacy, Hawai‘i Immunization Coalition, Hawai‘i Public Health Institute, Hawai‘i Pharmacists Association

Naoky Tsai, MD, Clinical Professor of Medicine, John A Burns School Of Medicine, University of Hawaii

Tyler Gray, MD, Medical Director, Healthcare for the Homeless, West Baltimore

Robyn Teply, PharmD, MBA, BCACP, Associate Professor Pharmacy Practice and Family Medicine, Creighton University School of Pharmacy & Health Professions

Shashi Kapadia, MD, Instructor of Medicine, Weill Cornell Medicine

Robert Gish, MD, Professor, Stanford University

Vivian Huang, MD, MPH, Physician, National Viral Hepatitis Roundtable

Christian Ramers, MD, MPH, AAHIVS, Assistant Medical Director, Family Health Centers of San Diego

Elizabeth King Goacher, PA-C, MHS, Lead Advanced Practice Provider, Division of Gastroenterology, Department of Medicine, Duke University, Durham, NC

Miranda Huffman, MD, Associate Professor and Family Physician, University of Missouri - Kansas City
Michelle Martin, PharmD, Clinical Pharmacist
University of Illinois Hospital and Health Sciences System

Phoebe LeBeau, PharmD, Clinical Pharmacy Specialist-Hepatology, RUSH University medical Center

Noel Feeney, PharmD, Clinical Pharmacist specialist, Rush University Medical Center

Neel Jhobalia, PharmD, AAHIVP, Clinical Pharmacy Specialist, Rush University Medical Center, Section Of Infectious Disease, Chicago, IL

Sarah Michienzi, PharmD, BCPS, AAHIVP, Clinical Assistant Professor and Clinical Pharmacist, University of Illinois at Chicago, College of Pharmacy

Mary Rottman, PharmD, Clinical Pharmacist, Northwestern Medicine

Kelly Dugan, PharmD, Clinical Pharmacy Specialist, Rush University Medical Center

Karine Rozenberg-Ben-Dror, PharmD, Hepatitis C Program Manager

Alexander Chew, PharmD, BCPS, Clinical Pharmacy Specialist,
Edward Hines Jr. VA

Kushal Shah, PharmD, BCPS, Clinical Pharmacy Specialist

Kelly Galen, PharmD, Clinical Pharmacist, University of Illinois Hospital and Health Sciences System

Mark Knaub, PharmD, Infectious Disease/Hepatitis C Pharmacist Jesse Brown VA Medical Center, Presence Resurrection Medical Center

Dee Ann Bragg, MD, Assistant Professor, KUMC-Wichita, Department of Family and Community Medicine

Taeko Frost, DrPH, Western Regional Director, Harm Reduction Coalition

Shelly-Ann Fluker, MD, Associate Medical Director, Grady Liver Clinic, Emory University School of Medicine

Sarah Kwasigroch, PharmD, Clinic pharmacy manager

Kristen Lee, MD, Medical Director, Adult Primary Care Hepatitis C Treatment Program at Boston Medical Center, Boston University School of Medicine

Marissa Mahoney, PharmD, BCPS, Clinical Pharmacy Specialist, Jesse Brown VA Medical Center

Marrieth Rubio, MD, Chief of Hepatology, Carilion Clinic. Assistant Professor of Medicine, Virginia Tech Carilion School of Medicine

Andrew Talal, MD, MPH, Professor of Medicine, Director, UBMD Center for Research and Clinical Care in Liver Disease, University at Buffalo, State University of New York

Ponni Perumalswami, MD, Associate Professor of Medicine, Icahn School of Medicine at Mount Sinai

Mark Schleupner, MD, FACP, Asst Professor of Internal Medicine
Carilion Clinic, Virginia Tech-Carilion School of Medicine

Jay Kostman, MD, Medical Director, John Bell Health Center, Philadelphia FIGHT Community Health Centers

Jeanette Tetrault, MD FACP FASAM, Associate Professor of Medicine, Program Director,
Addiction Medicine Fellowship, Yale University School of Medicine

Alain Litwin, MD, MPH, Vice Chair of Academics and Research, Department of Medicine, Professor of Medicine, Greenville Health System, University of South Carolina School of Medicine - Greenville, Clemson University School of Health Research

Anita Kablinger, MD, CPI, Professor and Director Clinical Trials, Department of Psychiatry and Behavioral Medicine, Virginia Tech Carilion School of Medicine

Dawn Fishbein, MD, MS, Physician

Brian Pearlman, MD FACP FAASLD AAHIVS, Medical Director, Center for Hepatitis C, Wellstar Atlanta Medical Center, Professor of Medicine, Medical College of Georgia, Professor of Mediciine, Emory School of Medicine

Carolyn Chu, MD, MSc, AAHIVS, Clinical Director, University of California- San Francisco, Clinician Consultation Center

Sidney Yassinger, Gastroenterologist/Hepatologist, MD, FACP, AGA, ACG, ACP

David Dies, MD, MBA, Medical Director of Liver Transplantation, John C. McDonald Regional Transplant Center

Lakshma Tiyyagura, MD

Kanwar Gill, MD, Staff Gastroenterologist and hepatologist, John Muir Medical Center, Walnut Creek, CA, John Muir Medical Center, Walnut Creek, CA

Imtiaz Alam, M.D., Medical Director, Austin Hepatitis Center, Clinical Associate Professor of Medicine, Dell Medical School, University of Texas, Austin, TX, Clinical Associate Professor of Medicine, Texas A&M University

Michael Voigt, MD, Medical Director Liver Transplantation

Douglas LaBrecque, MD, FACP, FAASLD, Emeritus Professor, Internal Medicine, Founder and Director Liver Service 1980-2010, Medical Founder Liver Transplant Program, University of Iowa, Council of Chairs and Founder/Director Liver Interest Group, World Gastroenterology Organization, American Association for the Study of Liver Diseases, American Gastroenterological Association, World Gastroenterology Organisation, American Osteopathic Association

Andrew Muir, MD, Professor of Medicine, Chief, Division of Gastroenterology, Duke University School of Medicine

Stanley Naides, MD

Truong-Sinh Leduc, M.D., Chair, Gastroenterology Division, Fountain Valley Regional Hospital and Medical Center, Fountain Valley, California

Fikir Morkoc, MD, Staff internist, Elica health center

David Bernstein, MD, Vice Chair of Medicine, Chief, Hepatology, Zucker School of Medicine at Hofstra/Northwell

Mohamad Awf Mouchli, MD, Gastroenterology and hepatology, Virginia tech University, Carilion clinic

George Momii, MD, Diagnostic Radiology, American College of Radiology, Radiological Society of North America, American Roentgen Ray Society
Richard Moseley, M.D., FACP, FAASLD, AGAF, Professor Emeritus, University of Michigan Medical School

Vishvinder Sharma, MD, Program Director, Dept. of Gastroenterology and Hepatology, Valley Hospital Medical Center, Las Vegas Nevada

Sapna Chowdhry, MD, Medical Director and Infectious Disease Specialist, Thundermist Health Center, Woonsocket, RI
Clinical Assistant Professor of Medicine, Alpert Medical School

Nancy Reau, MD, Chief, Section of Hepatology, Rush University Medical Center

Andrew Aronsohn, MD, Associate Professor of Medicine, University of Chicago

Vincent Lo Re, MD, MSc, FIDSA, Associate Professor or Medicine and Epidemiology, Perelman School of Medicine, University of Pennsylvania

Ammara Naveed, MD, Assistant Professor of Medicine, Transplant Hepatology, University of Illinois Chicago, Visiting Assistant Professor Pakistan Kidney and Liver institute

Colleen Blackshear, PharmD, Clinical Pharmacy Specialist, Hepatology, UChicago Medicine

Haripriya Maddur, MD, Transplant Hepatologist
Ryan Kates, PharmD, AAHIVP, Clinical Pharmacist, Northwestern Memorial

Milena McLaughlin, PharmD, MSc, BCPS-AQ ID, AAHIVP, HIV/ID Clinical Pharmacist, Northwestern Memorial Hospital

Gayle Balba, MD, Associate Professor of Medicine

Elizabeth Pomfret, MD, PhD, Professor of Surgery, Igal Kam MD Endowed Chair in Transplantation, Chief of Transplant Surgery, University of Colorado Anschutz Medical Campus, Aurora, CO

Lisa Nyberg, MD, MPH, Transplant Hepatologist, Kaiser Permanente

Lisa VanWagner, MD MsC, Assistant Professor of Medicine-Division of Gastroenterology & Hepatology and Preventive Medicine, Northwestern University Feinberg School of Medicine, President, Board of Directors and Co-Chair, Medical Advisory Committee, Great Lakes Division, American Liver Foundation

James Burton, MD, Medical Director of Liver Transplantation, University of Colorado

Gautham Reddy, MD, Associate Professor of Medicine, University of Chicago Medicine

Mary Rinella, MD, Professor of Medicine, Northwestern University Feinberg School of Medicine

Christopher Moore, MD, Hepatologist, Northwestern Medicine

Toyin Adeyemi, MD, Associate prof of medicine, Director, CORE hepatitis clinic

Alexander Lalos, MD, Assistant Professor of Medicine/Transplant Hepatologist, Medstar Georgetown Transplant Institute, Georgetown University School of Medicine

Ken O'Riordan, MD, Lakeshore Gastroenterology and Liver Disease Institute Des Plaines Illinois.

John Goff, MD, Partner Rocky Mountain Gastroenterology
American Gastroenterological Association, American College of Gastroenterology, American Society for Gastrointestinal Endoscopy, American College of Physicians, American Liver Foundation, American Association for the Study of Liver Diseases

Katherine Krebsbach, DO, Medical Director, Partnership Health Center

Heather Lusk, MSW, Executive Director, Life Foundation and The CHOW Project; Co-Director, Hep Free Hawaii, Life Foundation; The CHOW Project; Hep Free Hawaii

Catherine Fowler, MPH, BSN, RN-BC, Adherence Nurse, Healthcare for the Homeless, Baltimore, MD

Gladys Nieves-Vázquez, B.A., Ph.D. candidate, Coalition Building Coordinator, Prevention Official, El Punto en la Montaña, Inc.

Robert Heimer, PhD in Pharmacology, Professor of Epidemiology, Yale University School of Public Health

James Roberts, Project Management, Health Educator

Gail Brown, MS, Policy Advocate, Coalition on Positive Health Empowerment

Gloria Searson, ACSW, Executive Director, Coalition on Positive Health Empowerment

Jean Mooney, Outreach Worker, Outreach Worker, The CHOW Project/Life Foundation

Alan Franciscus, LA, Executive Director, Hepatitis C Support Project / HCV Advocate

Wesley Yamamoto, CFP, CIMA, Hep Free Hawaii

Theresa Watts, RN, MPH, PhD in Nursing Candidate, University of Wisconsin - Madison

Maria Ortiz, MPH, Hepatitis C Program Manager, Community Medical Centers

Ruth Homer, LCSW, LCADC, Linkage to Care Social Worker

Mary Jane Nealon, RN, PCMH-CCE, Director of Innovation

Alex Lapasaran, DNP, APRN-C, Nurse Practitioner, Las Vegas Gastroenterology, Co-Founder of Nevada Hepatitis C Task Force, University of Nevada-Reno, Hepatitis C Consultant- Nevada Department of Corrections

Kristin Quenton, RN, LNCC, Nurse Manager

Ronni Marks, BFA, Founder/ED, The Hepatitis C Mentor and Support Group, Inc.

Lisa Catalli, MSN NP-C, Nurse Practitioner III, UCSF Medical Center and Clinical Faculty for UCSF HCV Project Echo Program

Richard Ivanoff, Consultant Contractor, Sample Logistics Consultant in Pharma R & D, Graduate Student, Arizona State University

Theresa Watts, RN, MPH, PhD(c), PhD in Nursing Candidate

Jeffrey McKinney, NP-C, Nurse Practitioner, UCSF Medical Center, SF CA

Renita Madu, PA-C, Physician Assistant, PhD Student in Public Health, University of Texas Health Science Center: School of Public Health and School of Biomedical Informatics, City of Houston Public Health Department-Community Health Services, Baylor St. Luke's Project ECHO Program

Sarah Smith, MHS, PA-C, Chief Quality Officer, Philadelphia FIGHT Community Health Centers

Angela Kapalko, PA-C, MS, AAHIVS, Education Coordinator for Advance Practice Clinician Students, The Jonathan Lax Treatment Center, Philadelphia FIGHT Community Health Centers

Grace Paik, MSN, CRNP, Nurse Practitioner, Jonathan Lax Treatment Center, Philadelphia FIGHT Community Health Centers

Jody Gilmore, MSN, ANP-BC, Nurse Practitioner, Penn Presbyterian Medical Center, Association of Nurses in AIDS Care, AASLD

Mary Kozlowski, RN

Melanie Samardzija, PhD, APN-BC, Nurse Practitioner, Center for Liver Diseases, University of Chicago Medicine, American Association of Naturopathic Physicians, American Association for the Study of Liver Diseases, Sigma Theta Tau International

Jennifer Teraldico Peeters, RN, BSN, Hepatology Nurse, Northwestern Medicine

Sarah Anderson, MS, APRN, Nurse Practitioner, Division of Hepatology, Northwestern Medicine, Chicago, IL

Mary Welti, APN-C, Nurse Practitioner, Northwestern Medical Group, Board Memerber of the American Liver Foundation Great Lakes Division

Douglas Pavkov, RN ACRN, Registered Nurse, Loyola University Medical Center, Maywood Illinois

Rebecca Duke, APRN-CNP, DNP, MSN, Transplant surgery nurse practitioner, Northwestern Memorial Hospital

Vicki Shah, PA-C, MMS, Physician Assistant, Rush University

Lindsey Hoofnagle, RN, BSN, Hepatology Nurse