



Academy of  
Managed Care  
Pharmacy®

August 23, 2018

The Honorable Mitch McConnell Jr.  
Majority Leader  
U.S. Senate  
317 Russell Senate Office Building  
Washington, D.C. 20510

The Honorable Charles E. Schumer  
Minority Leader  
U.S. Senate  
322 Hare Senate Office Building  
Washington, D.C. 20510

RE: Senate Amendment in the Nature of a Substitute to H.R. 6 -- "Opioid Crisis Response Act of 2018"

Dear Majority Leader McConnell and Leader Schumer:

The Academy of Managed Care Pharmacy (AMCP) is writing in strong support of the "Opioid Crisis Response Act". The importance of this Act increases as the number of overdose deaths according to the CDC rise (72,000 overdose deaths in 2017).<sup>1</sup> As you know, the Act will advance patient treatment and recovery initiatives, improve prevention of opioid addiction, protect communities, and bolster efforts to fight deadly illicit synthetic drugs like fentanyl.

AMCP is the nation's leading professional association dedicated to increasing patient access to affordable medicines, improving health outcomes and ensuring the wise use of health care dollars. Through evidence- and value-based strategies and practices, the Academy's 8,000 pharmacists, physicians, nurses and other practitioners manage medication therapies for the 270 million Americans served by health plans, pharmacy benefit management firms, emerging care models and government.

Our members, as health care professionals, have actively supported three specific provisions in the "Act":

**Section 1507** reauthorizes the HHS grant program for states (NASPER) to develop, maintain, or improve Prescription Drug Monitoring Programs (PDMPs) and improve the interoperability of PDMPs with other states and with other health information technology. NASPER helps states improve the technology and communication between states to close loopholes which prevent earlier detection of at risk individuals.

**Section 2104** requires that physicians and other practitioners prescribe Part D-covered controlled substances electronically to improve tracking of opioid use and prevent diversion.

**Section 2105** requires that prior authorizations for Part D prescriptions that are processed electronically use a standard format, improving efficiency in processing and enabling beneficiaries to receive needed drugs sooner.

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<sup>1</sup> Ahmad FB, Rossen LM, Spencer MR, Warner M, Sutton P. Provisional drug overdose death counts. National Center for Health Statistics. 2018. <https://www.cdc.gov/nchs/nvss/vsrr/drug-overdose-data.htm>

However, we are concerned that the Act does not include Sections 6101- 6102 in H.R. 6 that would address fraud in the Medicare program. Those sections would allow potentially fraudulent payments in the Medicare program to be suspended pending an investigation. In 2016, the federal government spent almost \$1 trillion on the Medicare Part D Program.<sup>2</sup> The Centers for Medicare and Medicaid Services (CMS) estimates that during that same time, approximately \$2.39 billion of that included improper payments for prescription drugs.<sup>3</sup> The Secretary of the Department of Health and Human Services (HHS) already has that authority for Medicare Parts A and B so a change in the law is necessary to extend that authority to the Medicare Part D program.

We share your concern about patients and families affected by the opioid epidemic. So please support the Opioid Crisis Response Act of 2018 and include protections against fraud in the Medicare program. Thank you for your consideration and if we can provide additional information, please do not hesitate to contact me at 703-684-2600 or at [scantrell@amcp.org](mailto:scantrell@amcp.org).

Sincerely,



Susan A. Cantrell, RPh, CAE  
Chief Executive Officer

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<sup>2</sup> 2017 Annual Report of the Trustees of the Federal Hospital Insurance and Federal Supplementary Medical Insurance Trust Funds. <https://www.cms.gov/Research-Statistics-Data-and-Systems/Statistics-Trends-and-Reports/ReportsTrustFunds/Downloads/TR2017.pdf>. Accessed February 20, 2018.

<sup>3</sup> Fiscal Year 2016 Health and Human Services Agency Financial Report. <https://www.hhs.gov/about/agencies/asfr/finance/financial-policy-library/agency-financial-reports/fy-2016-hhs-agency-financial-report/other-information-4.html>. Accessed February 20, 2018.