



NEW YORK STATE SENATOR

Pete Harckham

Prior Authorization Eliminated for Substance Use Disorder Medications in New State Budget

PETE HARCKHAM April 7, 2020

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South Salem, NY – The elimination of “prior authorization” for Medication Assisted Treatment (MAT) prescription drugs needed by Medicaid patients with Substance Use Disorder, one of the provisions in the recently enacted 2020-2021 New York State Budget, was first included in legislation that State Senator Pete Harckham sponsored last year.

The new budget, through the Medicaid Redesign Team II recommendations, creates a single State formulary for MAT prescription drugs for substance and opioid use disorder by expanding the provision to also include gene therapies and other “high cost” drugs. These drugs are no longer subject to prior authorization while in place on the single state formulary.

“I want to thank Governor Andrew Cuomo and Majority Leader Andrea Stewart-Cousins for acknowledging that the complex crisis of opioid use disorder needs to be fought on many levels, including by making appropriate medications more available to individuals when they need them,” said Harckham, who chairs the Senate Committee on Alcoholism and Substance Abuse. Harckham added, “This legislation will save lives immediately, and millions of dollars in the long run.”

Simply put, MAT medications, like buprenorphine and methadone, which help reduce cravings, prevent overdoses and often block the effects of various substances, will now be more accessible. People with a need for MAT medications, will not have to wait upwards of three days and sometimes even longer to fill a prescription. Meanwhile, individuals struggling with Substance Use Disorder begin experiencing painful withdrawal symptoms in as little as six to 12 hours. Without access to MAT, resolve weakens and people relapse; to dull withdrawal symptoms, they return to substance use, putting themselves at risk for overdose.

Earlier this year, a new law introduced by Harckham and signed by Cuomo, prohibited insurance companies from requiring prior authorization for medications used in the treatment of substance use disorders. A similar bill that included Medicaid patients waited for approval, however; and in November 2019, Harckham and Assemblymember Linda B. Rosenthal, sponsors of the bill in the State Senate and Assembly, respectively, published an op-ed in the New York Daily News that called for its signing.

“After a relentless fight, New York has moved closer to securing access to lifesaving drug treatment without prior authorization for people who are enrolled in Medicaid,” said Jasmine Budnella, Drug Policy Coordinator at VOCAL-NY. “Our members want to thank Senator Harckham and Assemblymember Rosenthal for being incredible champions and not giving up on this issue. We will continue to fight alongside them to ensure the regulations put forth in the budget are actualized into the removal of prior authorization for all forms of medication-assisted treatment.”

In December 2019, a study by RTI International, a nonprofit that conducts research for government and commercial clients, showed that removing prior authorization from medications to treat opioid use disorders would result in an 80% decrease of mortality in New York, saving approximately 586 lives per year. In-patient admissions and emergency room visits would decrease as well, saving about \$52 million in medical costs a year.

Allegra Schorr, president of the Coalition of Medication-Assisted Treatment Providers and Advocates (COMPA) of New York State, said, “COMPA congratulates Senator Pete Harckham and Assemblymember Linda Rosenthal for their expert leadership on this important effort to create parity among all patients struggling with addiction and recovery in New York. If implemented correctly, this agreement should guarantee full access to all MAT drugs.”

As co-chair of the Joint Senate Task Force on Opioids, Addiction & Overdose Prevention, Harckham convened public hearings across New York, with testimony coming from doctors, advocates and experts, along substance users and family members grappling with the opioid crisis. In the 2020-2021 NYS Budget, Harckham was able to help secure \$825 million in funding to the NYS Office of Alcoholism and Substance Abuse Services (OASAS) for opioid treatment, recovery, prevention and education services, with state operations increased by \$1.3 million and local programs increased by \$15 million.