



March 8, 2024

Xavier Becerra
Secretary
Department of Health & Human Services
200 Independence Ave SW
Washington, DC 20201

Chiquita Brooks-LaSure
Administrator
Centers for Medicare & Medicaid Services
P.O. Box 8013
Baltimore, MD 21244

Submitted electronically via PartD_Monitoring@cms.hhs.gov and dpap.lmi.org

Re: Impacts of the Cyberattack on Change Healthcare

Dear Secretary Becerra and Administrator Brooks-LaSure,

The Academy of Managed Care Pharmacy (AMCP) thanks the Centers for Medicare & Medicaid Services (CMS) for the opportunity to share our thoughts on the impact of the recent cyberattacks on Change Healthcare.

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, AMCP's nearly 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 health programs.

AMCP appreciates CMS' leadership in addressing the serious issues facing pharmacies, hospitals, and other health care providers while Change Healthcare is offline. This cyberattack is an unprecedented event for our health care system, and any response is sure to have significant implications for all affected parties. Although many pharmacies have seen service restored, hospitals and other providers are still waiting.

In its March 5 press release, the Department of Health & Human Services (HHS) expressed intent to issue guidance intended to encourage Medicare Advantage (MA) and Part D plans to relax or remove prior authorization requirements and other utilization management strategies. On March 6, CMS issued a memo encouraging MA and Part D plans to relax or remove prior authorization requirements in response to the Change Healthcare cyberattack.

While there is a need to take all reasonable actions to protect continuity of care, AMCP believes that there may be serious consequences to widespread suspension of utilization management

strategies. The most appropriate strategy is to remind plans of the flexibilities available to them, as HHS and CMS have already done, without imposing further requirements. While cost can be a factor in the use of prior authorization, patient safety is its most important function. Therapies with potentially dangerous side effects are often subjected to utilization management strategies, including prior authorization, to ensure that patients do not have adverse reactions to their treatment, which can be life-threatening in some cases.

The decision to suspend or modify utilization management strategies should be made by MA and Part D plans based on what will be most effective and safest for their patients. Plans are the entities best positioned to understand the effects of any changes on enrollees. AMCP encourages plans to process claims as quickly as possible to preserve providers' ability to treat their patients, including paper claims filed during the outage.

Thank you again for the opportunity to share our perspective. AMCP stands ready to support HHS and CMS in their efforts to protect patient care during this unprecedented situation. If you have questions or would like further information, please contact AMCP's Director of Regulatory Affairs, Geni Tunstall, at etunstall@amcp.org or (703) 705-9358.

Sincerely,

A handwritten signature in cursive script, appearing to read "S. Cantrell".

Susan A. Cantrell, MHL, RPh, CAE
Chief Executive Officer