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ADAP Advocacy Asks for HIV Carve-Out

Thirty-Seven Advocacy Organizations Urge Centers for Medicare & Medicaid Services to Protect People Living with HIV/AIDS by Excluding Antiretrovirals from the Medicare Drug Price Negotiation Program

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Media Contact:
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WASHINGTON, D.C. – ADAP Advocacy, in collaboration with thirty-seven advocacy organizations representing national, state, and local community interests, asks the Centers for Medicare and Medicaid Services (CMS) for a carve-out exemption for all medications indicated for the treatment and prevention of HIV/AIDS under section 30.1 of the Medicare Drug Price Negotiation Program ("Negotiation Program") established in Sections 11001 and 11002 of the Inflation Reduction Act (IRA; P.L. 117-169).

Brandon M. Macsata, CEO of ADAP Advocacy, stated: "CMS is playing with fire if it targets HIV medications as part of its drug price negotiations, potentially putting the lives of PLWHA at risk. Patients who lose access to HIV medications may fall out of treatment entirely, placing them at risk of dying from opportunistic infections or having their HIV mutate to develop resistance to the medications used to achieve viral suppression."

The letter, in part, reads:

"When selecting medications for the Negotiation Program, CMS appears to have paid little attention to the patient populations who are directly impacted. CMS has long promised to incorporate the voices and opinions of patients with lived experience when developing administrative rules and policies but has largely failed to make adequate efforts to *actively* engage patients in the process. When patients are not directly engaged, the decisions made that directly impact their lives often end up complicating rather than improving them."

The letter also reminds CMS that the six protected classes covered in section 30.2.5 of the Medicare Prescription Drug Benefit Manual specifically include antiretroviral medications. [The full letter can be read online here.](#)

The Inflation Reduction Act and its emerging adverse impact on patient access to care and treatment are of increasing concern to patient advocacy groups. This concern is compounded by challenges faced by community pharmacies, more restrictive drug formularies, non-medical switching, and patients absorbing greater costs due to shifts from co-pays to co-insurance.

The letter was submitted on behalf of the following organizations:

- Aging and HIV Institute
- AiArthritis
- AIDS Alabama
- AIDS Alabama South
- AIDS United
- Allies in Hope
- Appalachian Learning Initiative (APPLI)
- Black, Gifted & Whole Inc.
- Center for HIV Law and Policy (CHLP)
- Community Access National Network (CANN)
- Florida HIV/AIDS Advocacy Network (FHAAN)
- Five Horizons Health Services
- Georgia Equality
- Global Coalition on Aging Alliance for Health Innovation
- Guardian Health Association, Inc.
- Health Care Advocates
- International Association of Providers of AIDS Care (IAPAC)
- Latino Commission on AIDS
- Let's Kick ASS-AIDS Survivor Syndrome
- Let's Kick ASS Palm Springs (AIDS Survivor Syndrome)
- Log Cabin Republicans
- My Brother's Keeper, Inc.
- NC AIDS Action Network
- NMAC
- Partnership for Safe Medicines (PSM)
- PlusInc
- Positive Change Movement
- Prevention Access Campaign (PAC)
- RAHMA - Reaching All HIV+ Muslims in America
- Selma AIR, Inc
- Sero Project
- Southern AIDS Coalition (SAC)
- Southern Black Policy and Advocacy Network (SBPAN)
- The 6:52 Project Foundation, Inc.
- Unity Wellness Center
- U.S. People Living with HIV Caucus
- We the Positive Deep South

To learn more about ADAP Advocacy, AIDS Drug Assistance Programs, or the national sign-on letter to CMS, please email info@adapadvocacy.org.

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About ADAP Advocacy: ADAP Advocacy's mission is to promote and enhance the AIDS Drug Assistance Programs (ADAPs) and improve access to care for persons living with HIV/AIDS. ADAP Advocacy works with advocates, community, health care, government, patients, pharmaceutical companies, and other stakeholders to raise awareness, offer patient educational programs, and foster greater community collaboration.