

November 5, 2018

Michael Conway
Interim Commissioner of Insurance
Colorado Division of Insurance
1560 Broadway, Suite 850
Denver, CO 80202

Subject: Proposed Amended Regulation 4-2-49, “Concerning The Development And Implementation Of A Uniform Drug Benefit Prior Authorization Process, The Required Drug Appeals Process, And The Coverage Of Certain Opioid Dependence Treatment Drugs”

Dear Commissioner Conway:

On behalf of the American Medical Association (AMA) and our physician and medical student members, this letter is in response to the Colorado Divisions of Insurance (the Division) request for comments concerning the new language added to Regulation 4-2-29, concerning medications used to treat opioid use disorder as required by House Bill 18-1007.

The AMA’s interest in this regulation stems from Colorado being one of the few states to move forward on efforts to remove barriers to treatment for patients with an opioid use disorder. With nearly 88 percent of Colorado patients needing treatment for an addiction but not receiving it (see <http://opioid.amfar.org/indicator/pctunmetneed>), this regulation will play an important role in reversing Colorado’s opioid-related overdose and death epidemic.

We agree with the Colorado Medical Society that any instructions health insurance plans provide to physicians or patients concerning prior authorization requirements must clearly state that prior authorization is not required:

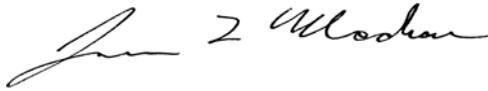
- (1) for drugs approved for the treatment of opioid use disorder for the first request within a twelve-month period; or
- (2) if it has been longer than twelve months since the first prescription request was submitted.

These changes should further be reflected in the form that plans currently require. They should also be made clear in any health plan communication with patients or physicians, such as on explanation of benefits, summary of benefits of coverage or other information provided to patients and physicians. Ensuring clarity is an important complement to help increase access to care for those with an opioid use disorder.

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The AMA appreciates the opportunity to provide comments. If you have any questions, please contact Daniel Blaney-Koen, JD, Senior Legislative Attorney, Advocacy Resource Center, at daniel.blaney-koen@ama-assn.org or (312) 464-4954.

Sincerely,

A handwritten signature in black ink, appearing to read "James L. Madara". The signature is fluid and cursive, with a large initial "J" and "M".

James L. Madara, MD

cc: Colorado Medical Society