

May 5, 2020

Commissioner Howard A. Zucker
New York State Department of Health
Corning Tower
Empire State Plaza
Albany, NY 12237

Re: Request for Community Health Centers and Ryan White Providers with HIV Focus to be Appointed to State's 340B Stakeholder Panel

Dear Commissioner Zucker,

As members of the End AIDS New York Community Coalition, we write to urge you to appoint an independent and representative workgroup to advise on the impact of a Medicaid Pharmacy Benefit Carve-out from managed care and into fee-for-service on 340B Providers and the communities they serve. The workgroup should adhere to New York State's Open Meetings Law and represent the constituencies that will be impacted and thus should include Community Health Centers, Designated AIDS Centers and Ryan White funded entities that participate in the 340B program. It should also include Medicaid HIV Special Needs Plans that work with patients and their providers to manage access to medications that control HIV and other comorbid conditions. We are seriously concerned that without 340b funding many of our HIV/AIDS organizations and Community Health Centers would not survive, which in turn would devastate services and outcomes for vulnerable New Yorkers in need, and HIV provider input is intended to help the State avoid unintended consequences that might negatively impact individual and public health.

The End AIDS New York Community Coalition is made up of more than 80 organizations from across New York State that have been at the forefront of implementing the State's plan to end the HIV/AIDS epidemic. Governor Cuomo's Blueprint to End AIDS sunsets this year, and while we have made great progress there is still much more to do to reach the goals of the Blueprint and to ensure that our progress in ending the epidemic is sustainable into the future.

Our members work to get people living with HIV into care, prevent new HIV infections, and address the underlying social and economic factors such as homelessness that put New Yorkers at elevated risk for HIV acquisition. We work closely with Managed Care plans, including Medicaid HIV Special Needs (HSNP) plans, to ensure that our clients/patients seamlessly get the care they need without unnecessary bureaucratic delay.

It is essential for the State's 340B stakeholder workgroup to include representation from the health care providers and communities that rely on the 340B program to stretch scarce resources in medically underserved communities across the State. New York's community based health care providers, Designated AIDS Centers and Ryan White-funded entities serve neighborhoods and communities that experience the worst health inequities. These health centers rely on the 340B program to establish and maintain adequate infrastructure and care delivery systems in low-income communities heavily affected by HIV. Health centers currently use 340B savings to expand services for the uninsured and underinsured that visit our clinics and to help cover essential services that are not billable to Medicaid. Further, the 340B program has been vital to efforts to end the State's HIV/AIDS epidemic and have been part of the State's frontline COVID response.

The State's 340B stakeholder workgroup must conduct a comprehensive review of how the carve out of the pharmacy benefit will impact the HIV-related care delivery system. Effective HIV prevention and care requires a range of services including care coordination, outreach, and connection to the array of support services required to manage a chronic condition. The 340B program allows us to stretch our resources to support the full continuum of care that patients need, from diagnosis, to linkage to care, to medication adherence and viral suppression.

The Governor's Medicaid Redesign Team II was charged with having zero impact on Medicaid beneficiaries, so it is vital for the State's 340B workgroup to determine if the pharmacy carve out will have a negative impact on Medicaid beneficiaries with HIV and those at high-risk and if the carve out will negatively impact the State's ending the HIV epidemic efforts. In fact, without the benefit of the 340B program, many community health centers and Ryan White-funded organizations will not survive. Health outcomes for the vulnerable New Yorkers served by these providers will be negatively impacted. The impact of the pharmacy carve out on the providers and resulting lack of access to critical health care services for the communities they serve threatens to undermine all of advances we've made to end the HIV/AIDS epidemic.

In addition, the State must consider the consequences of carving out the pharmacy benefit as it relates to the hepatitis C epidemic, the opioid epidemic, and the ongoing COVID-19 response, which has put severe financial strain on Community Health Centers and other safety-net providers. Community Health Centers have already undertaken a critical role during the initial months of the COVID-19 pandemic and will continue to be vital to expanding testing and eventually ensuring equitable access to COVID-19 diagnostics, treatments, and vaccines as they are developed.

The End AIDS NY Coalition's Legislative Committee is ready to provide recommendations to your office on specific HIV providers to include in the State's 340B Stakeholder workgroup. Please email or call Kimberleigh Smith at Callen-Lorde Community Health Center (ksmith@callen-lorde.org; 917-325-0669) to discuss the Coalition's recommended appointments.

Sincerely,

The End AIDS NY Community Coalition

CC: Paul Francis, Deputy Secretary to the Governor for Health and Human Services;
Megan Baldwin, Assistant Secretary of Health;
Johanne Morne, Director of the NYS AIDS Institute

ACR Health

Action for A Better Community (ABC), Rochester

AIDS Network of Western New York

Albany Damien Center

Albany Medical Center

Ali Forney Center

Alliance for Positive Change
Alliance for Positive Health
Amida Care
Anthony L. Jordan Health Center
Apicha Community Health Center
AREA (American Run for the End of AIDS)
Argus Community, Inc.
Bailey House
Bedford Stuyvesant Family Health Center
BOOM!Health
Bridging Access to Care, Inc.
Brightpoint Health
Bronx Works
Brooklyn Community Pride Center
Brownsville Multiservice Family Health Center
Callen-Lorde Community Health Center
Camino Nuevo
CARES, Inc.
Catholic Charities Care Coordination Services
Central New York HIV Care Network
Coalition for Homeless Youth
Community Health Action of Staten Island
Damian Family Care Centers, Inc.
Destination Tomorrow
Diaspora Community Health Center
Elmcor
End AIDS Now
Erie County Medical Center
Evergreen Health
Exponents
Federation Protestant Welfare Agencies (FPWA)
Finger Lakes Community Health

FITBK/Haitian-American Community Coalition, Inc. (HCC)
GMHC (Gay Men's Health Crisis)
Grand Street Settlement
Harlem Health Promotion
Harlem United
Harm Reduction Coalition
Health People
Hetrick-Martin Institute
Highland Hospital Department of Family Medicine Research
Hispanic Federation
Hispanic Health Network
Housing Works
Hudson River HealthCare (HRH Care)
Hudson Valley Community Services
In Our Own Voices, Inc.
Iris House
Latino Commission on AIDS
Legal Action Center
Morris Heights Health Center
Mount Sinai Institute for Advanced Medicine
National Action Network, NYC
National Black Leadership Commission on Health (NBLCH)
National Working Positive Coalition
New Alternatives for LGBT Homeless Youth
The NEW Pride Agenda
New York Harm Reduction Educators (NYHRE)
New York Transgender Advocacy Group (NYTAG)
Planned Parenthood of NYC
Positive Health Project
Praxis Housing Initiative, Inc.
Pride for Youth (Long Island Crisis Center)
RiverStone Consulting

Rochester Area Task Force on AIDS, Inc.
Ryan/Chelsea-Clinton Community Health Center
Southern Tier AIDS Program
St. Ann's Corner of Harm Reduction
Streetwork Project
SUNY Upstate Medical Center
The Sharing Community
Together Our Unity Can Heal, Inc. (TOUCH)
Translatina Network
Treatment Action Group (TAG)
Trillium Health
United Way of Long Island
VillageCare
VOCAL New York
Voces Latinas
Whitney M. Young Health Center
William F. Ryan Community Health Center
Wyckoff Heights Medical Center