



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

ERIC T. SCHNEIDERMAN
ATTORNEY GENERAL

DIVISION OF SOCIAL JUSTICE
HEALTH CARE BUREAU

January 17, 2017

VIA U.S. MAIL AND ELECTRONIC MAIL

Anthem, Inc.
120 Monument Circle
Indianapolis, IN 46204

Empire BlueCross BlueShield
15 MetroTech Center
Brooklyn, NY 11201

**Re: Anthem – Prior Authorization for Medication-Assisted Treatment
Medications for Opioid Use Disorder**

Dear Sirs:

This letter will serve to memorialize Anthem's decision to remove prior authorization for Medication-Assisted Treatment ("MAT") medications, a proven effective treatment for opioid use disorder, as specified below. For purposes of this letter, Anthem means all licensed insurance carriers and HMO's or other affiliated companies of Anthem, Inc. ("Anthem"). Except where the terms of this agreement expressly apply only to Anthem's New York affiliate, Empire Blue Cross Blue Shield ("Empire"), this letter agreement shall apply to Anthem.

By January 30, 2017, Anthem will end its use of prior authorization for oral MAT medications to treat opioid use disorder (including, but not limited to, buprenorphine and buprenorphine/naloxone) when prescribed by a MAT-authorized provider.¹ This change in policy will apply to all Anthem commercial health plans (including self-funded plans and state and local government employee group coverage, unless either the self-funded or government employee plan has opted out of standard Anthem policies for prior authorization of prescription drug or does not have prescription drug coverage with Anthem). Additionally, Empire will end its use of prior authorization for injectable naltrexone for members in its New York service area. Anthem will maintain its policy of not requiring prior authorization for other MAT medications,

¹ A MAT-authorized provider is a health care provider who has obtained a Drug Addiction Treatment Act (DATA) 2000 waiver and has been issued a special identification number that can then be used to prescribe MAT medications (a special "X" number).

including the following: methadone, oral naltrexone, disulfiram and acamprosate. Notwithstanding the policy determination to no longer use prior authorization for MAT medications, Anthem reserves its right to apply quantity limits to MAT medications, consistent with generally accepted practices.

Within ten (10) business days of the above-noted provisions of this letter being put in effect, Anthem will provide the New York State Office of the Attorney General (“OAG”) with written confirmation that the prior authorization criteria for MAT medications to treat opioid use disorder have been retired consistent with the change and terms set out above. Within ten (10) business days of the retirement of the prior authorization criteria, Empire will provide all known MAT-authorized providers in Empire’s networks with notification of the change.

To expand access to MAT for members in its New York service area, Empire will conduct provider outreach and education regarding the benefits of MAT (“the MAT initiative”). The outreach will include provider education about MAT and how qualified health care providers can obtain certification from the Substance Abuse and Mental Health Services Administration (“SAMHSA”) to prescribe buprenorphine and buprenorphine/naloxone as part of MAT for opioid dependence. Anthem will engage in provider outreach within Empire’s New York service area designed to reach current network providers, as well as MAT-authorized providers who are not currently Empire network providers. Within three (3) months of the date of this letter, Anthem will update the OAG regarding the results of Anthem’s outreach to providers in Empire’s licensed service area, including, but not limited to, a list of new authorized MAT providers who have agreed to join Empire’s provider network or current network providers who have become certified by SAMHSA to prescribe MAT drugs.

The measures outlined in this letter address the OAG's concerns regarding alleged unnecessary access barriers to MAT medications and network adequacy raised during the OAG investigation. Based upon Anthem's decision to implement the policy changes and notification as outlined herein, the OAG agrees to discontinue its investigation concerning Anthem's coverage of Medication-Assisted Treatment.

Very truly yours,



Brant Campbell
Assistant Attorney General
Health Care Bureau



Michael Reisman
Assistant Attorney General
Health Care Bureau

Countersigned

ANTHEM, INC.



Larry Schreiber
President - Empire Blue Cross Blue Shield

Date: 01/17/17