FOR IMMEDIATE RELEASE
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AMDA Applauds CMS’s Decision Not to Finalize Rule to Eliminate Protected Drug Class Status

Columbia, MD-- AMDA—The Society for Post-Acute and Long-Term Care Medicine is pleased that the Centers for Medicare & Medicaid Services (CMS) has decided not to finalize its proposed rule to eliminate protected class status for several categories of drugs under Medicare Part D at this time.

In a March 7th letter to CMS Administrator Marilyn Tavenner, AMDA expressed concern that “this proposed policy will have serious negative effects on the health of the vulnerable Medicare population, especially the typical individual receiving care within the PA/LTC [Post-Acute/Long-Term Care] setting. Medicare Payment Advisory Commission analysis shows that beneficiaries who use skilled nursing facility services are older, frailer, and more likely to report poor health status compared with other beneficiaries. Alzheimer’s disease, dementia, depression and other mental health illness are common co-morbidities for the frail and elderly population. CMS’s proposed requirement to make a determination on the necessity of a protected class based on a typical individual does not take into account this important population of Medicare beneficiaries.”

AMDA’s position is that both antidepressants and antipsychotics should remain protected classes. The organization’s letter to CMS stated, “There is insufficient evidence-based data to indicate that any drug in these classes works better than another, and prescribing a specific drug depends upon the specific characteristics of the individual, including comorbidities, other prescribed drugs, desired pharmacological profile (e.g., mirtazapine increases appetite where some SSRIs suppress it), and associated side effects.”

The organization stressed that it has been working closely with CMS to decrease inappropriate antipsychotic prescribing and “has made great progress” on this issue. In its letter, AMDA noted, “The issue of over-prescribing of antipsychotics is best rectified through the ongoing initiatives and not through this unrelated change, which will have unintended and undesirable consequences that may harm the vulnerable population we serve.”

AMDA is among several groups who applauded CMS’s decision on this issue. Organizations such as the Partnership for Part D Access and even lawmakers including Senate Minority Leader Mitch McConnell (R-KY), Senate Finance Chair Ron Wyden (D-OR) and Senator Orrin Hatch (R-UT) also praised the agency’s decision not to move forward with all aspects of the proposed rule.

While AMDA is pleased about this decision by CMS, the association recognizes the need to work with CMS and other stakeholders to improve quality of care for our nations’ elders and disabled in PA/LTC facilities. “We are prepared to continue working with CMS to improve drug prescribing patterns and overall quality in PA/LTC settings,” said AMDA Executive Director Christopher Laxton, CAE.

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AMDA – The Society for Post-Acute and Long-Term Care Medicine is the national professional association of medical directors, attending physicians, and other professionals practicing post-acute and long-term care medicine and committed to the continuous improvement of patient care. AMDA provides education, advocacy, information, and professional development to enable its members to deliver quality post-acute and long-term care.