MEDICARE COMPETITIVE ACQUISITION PROGRAM: PATIENT IMPACT ISSUES

As you may have heard, Us TOO is concerned about the Medicare Competitive Acquisition Program (CAP) and recently our Advocacy Committee prepared and sent input on draft Federal Regulations. We want to raise your awareness on this issue because this program may limit access to life saving medications and create undue financial burdens for patients. It is our understanding that CAP has the potential to interfere with the doctor/patient relationship and we think it may add unnecessary stress during the critical period when treatment decisions are made.

The Medicare Modernization Act passed by Congress in 2003 calls for the Centers for Medicare and Medicaid Services (CMS) to develop the CAP as an alternative system for doctors to obtain their physician administered part B drugs. Recently, on July 6, 2005, CMS published the Final Rule for the CAP, which enables the agency to move forward with the program’s implementation.

Effective January 1, 2006, this program will allow doctors to obtain their Medicare Part B reimbursed drugs from competitively selected vendors. These vendors will supply the drugs, bill Medicare and collect the coinsurance from patients. The objective of this program is to deliver savings to CMS while giving physicians an alternative to the buy and bill drug acquisition system.

In order to ensure the continued availability of your current treatment, it is important to begin a dialogue with your doctor about his intent to participate in the CAP. To assist with this process, Us TOO plans to publish “CAP Frequently Asked Questions” on our website and provide discussion points to aid you in your conversations with your doctor. We will also feature a more detailed description of the CAP in the September issue of the HotSheet. For now, here are some key issues about the program:

• Medicare vendors can encourage doctors to change cancer treatments based on cost rather than patient choice.
• Of those prostate cancer therapies that will be included in the CAP, vendors are not required to provide every dose and formulation.
• Luckily some products like Lupron and testosterone are not included in this program and will continue to be available without restriction.
• Medicare vendors have the authority to withhold shipment of drugs for those patients who are delinquent in paying their co-insurance.
• Patients could be pursued by large corporate entities for their co-payments.
• Patients do not realize any savings under this program, and their co-payments may increase.
• Doctors are not required to disclose their CAP participation prior to the patient’s appointment.
• All of these factors interfere with the nature of the doctor/patient relationship and are points of concern to Us TOO that we felt you need to know.