

United States Senate

WASHINGTON, DC 20510-7012

June 23, 2014

The Honorable Marilyn Tavenner
Administrator
Centers for Medicare and Medicaid Services
200 Independence Avenue SW
Washington, DC 20201

Dear Administrator Tavenner:

I write today to express my concerns about the prior authorization process established in the final 2014 guidance issued by the Centers for Medicare and Medicaid Services (CMS) on Medicare Part D payment for drugs for beneficiaries enrolled in hospice.

I appreciate your efforts to ensure that taxpayer dollars are spent wisely, and I agree that we must work to ensure that Medicare is not paying twice for prescription drugs used by hospice patients. At the same time, however, I have serious concerns that the prior authorization process in the guidance could gravely harm hospice patients by delaying their access to medications. Those receiving the Part A hospice benefit cannot afford to wait for the resolution of a payment dispute. Therefore, I urge you to reconsider this guidance.

Additionally, the guidance has led to confusion among hospice providers, Part D plans, and most importantly, beneficiaries who have elected hospice. I encourage you to work collaboratively with all relevant stakeholders, including beneficiaries and patient advocates, Part D plans, as well as hospice providers, in order to protect timely access to medications and to prevent double payment by Medicare for drugs for hospice patients.

I thank you for your attention to this matter.

Sincerely,



HARRY REID
United States Senator