

VIA Electronic Submission

December 23, 2013

Centers for Medicare and Medicaid Services
Department of Health and Human Services
Attention: CMS-9945-IFC
P.O. Box 8016
Baltimore, MD 21244-8016

RE: CMS-9945-IFC; RIN 0938-AS17 – Interim Final Rule: Patient Protection and Affordable Care Act; Maximizing January 1, 2014 Coverage Opportunities

The National Association of Chain Drug Stores (NACDS) appreciates the opportunity to comment on CMS' Interim Final Rule extending health insurance exchange enrollment deadlines, premium payment deadlines and easing provider and drug transitions as exchange-based insurance coverage begins on January 1, 2014. We welcome the additional millions of Americans who will have new insurance coverage. We are committed to working with all parties to address logistical challenges and to maximize the experience of patients - similar to those vital efforts taken by community pharmacy to provide a smooth transition during the rollout of Medicare Part D. We appreciate the acknowledgement that pharmacies are important in helping newly insured and existing patients as they navigate prescription drug coverage through their new exchange-based plans.

NACDS represents traditional drug stores along with supermarkets and mass merchants with pharmacies. Its 125 chain member companies include regional chains with a minimum of four stores to national companies numbering their stores in the thousands. NACDS members also include more than 800 suppliers of pharmacy and front end products, and nearly 40 international members representing 13 countries. Chains operate more than 40,000 pharmacies, and employ a total of more than 3.8 million employees, including 175,000 pharmacists. They fill over 2.7 billion prescriptions yearly.

Enrollment and Premium Payment Extensions

We understand the interest of the Administration in adding individuals to the insurance rolls as quickly as possible. In addition, it will be important to provide patients with information that will be necessary to maximize their experience, and ultimately to foster the utilization of benefits to improve their health. We are concerned that the initial enrollment deadline extensions may result in some newly insured patients not having the

information necessary to process pharmacy claims for them in January. We are also concerned that some patients who enroll in a plan and take the opportunity to pay January premiums later in January may not be aware that they must pay for their health care and prescription drug services out-of-pocket pending payment of their insurance premium. In light of our concerns, NACDS urges CMS and insurers to engage in consumer education and outreach to address and mitigate these scenarios, offer ample support for pharmacies via call centers throughout the holidays, and use techniques that helped to ease the transition for the initial enrollment in Medicare Part D.

Transitional Provider and Drug Access

NACDS also welcomes CMS' encouragement to plans, during the initial months of enrollment, to treat out-of-network providers as in-network providers, where an out-of-network provider was listed as in-network at the time of enrollment or is providing treatment for an acute episode of care at the start of the year. We urge CMS to be clear that it is encouraging plans to address this for pharmacies.

We further support CMS' encouragement of plans to cover a patient's existing non-formulary drugs as if they were formulary drugs for the first 30 days of coverage after January 1, 2014. We believe that this policy, along with the network flexibility policy, will provide for smoother continuity of care for patients and improve patients' overall care experience, as well as quality of care.

Conclusion

Thank you for the opportunity to comment. We look forward to continue to work with you on these important matters that relate directly to patients' experience with their new insurance coverage, and ultimately to patient health.

Sincerely,



Carol Kelly
Senior Vice President
Government Affairs and Public Policy
National Association of Chain Drug Stores