

**Encouraging HIV Detection and Ensuring Appropriate Treatments in Medicaid Recipients and the Uninsured**

**Committee: Health Resolution: HEA-21-04**

1. **WHEREAS,** in 2018, an estimated 37,968 Americans tested newly positive for HIV;[[1]](#footnote-0)
2. and,
3. **WHEREAS,** of those, Black/African American people are most affected by HIV, In
4. 2019, Black/African American people accounted for 42% (15,340) of all new HIV
5. diagnoses. 47.5% were Black/African Americans, despite Blacks/African Americans
6. being 18%
7. of the U.S. population, In 2019 in the United States, Black/African American female
8. adults and adolescents made up 13% of the female population but accounted for 55% of
9. diagnoses of HIV infection among females;[[2]](#footnote-1) and,
10. **WHEREAS,** even more troublingly, In 2019, young people accounted for 21% (7,648) of
11. all new HIV diagnoses. Young Black/African American gay and bisexual men (13 to 24
12. yo) are even more severely affected, as they represented 50% (3,209) of new HIV
13. diagnoses among young gay and bisexual men.;[[3]](#footnote-2) and,
14. **WHEREAS**, From 2015 through 2019 in the United States and 6 dependent areas,
15. Black/African American female adults and adolescents accounted for the largest numbers
16. of diagnoses of HIV infection each year although the number decreased from 4,262 in
17. 2015 to 3,812 in 2019;[[4]](#footnote-3) and,
18. **WHEREAS**, these disparities in HIV health, detection and treatment are driven by a
19. broad range of factors, such as language barriers, concerns about disclosing immigration
20. status, mistrust of the healthcare system, poverty, racism, homophobia, stigma,
21. discrimination and other social determinants of health;[[5]](#footnote-4) and,
22. **WHEREAS,** for example, Hispanic/Latino Americans account for nearly one-third of all
23. Medicaid enrollees across the United States, a very disproportionate share that reflects
24. the income disparities that affect our communities;[[6]](#footnote-5) and,
25. **WHEREAS,** people without health insurance or enrolled in Medicaid may experience
26. health literacy barriers due to the disproportionate impacts of the social determinants of \
27. health, limiting their ability to recognize, and demand, necessary medical care, including
28. treatment that is best suited for their health needs;[[7]](#footnote-6) and,
29. **WHEREAS**, these barriers also adversely affect the ability of patients to engage in a
30. shared decision-making approach with their providers; and,
31. **WHEREAS,** while certain utilization management practices in Medicaid are meant to
32. help control healthcare costs, prior authorizations or other limitations may in some cases
33. inhibit or delay access to necessary medical care, including prescription drugs, thereby
34. further negatively affecting health outcomes; and,
35. **WHEREAS,** prior authorizations and other limitations may interfere with clinically
36. appropriate patient-centered choices for medical treatments and create barriers for
37. doctors, nurses, and other healthcare providers serving the Medicaid population;[[8]](#footnote-7) and,
38. **WHEREAS,** for example,state agencies may have selected preferred drugs based on the
39. medicines' effectiveness within the general population,[[9]](#footnote-8) without sufficient regard to
40. considerations specific to certain populations, such as Hispanic Americans and African
41. Americans;[[10]](#footnote-9) and,
42. **WHEREAS,** the uninsured and Medicaid patients may be discouraged from beginning,
43. or continuing, clinically appropriate treatments by delays in access that may occur when
44. health care providers and patients must navigate the Medicaid or other state
45. prior-authorization or appeals procedures;[[11]](#footnote-10) and,
46. **WHEREAS,** treatment delays while providers obtain required approvals also may \
47. adversely affect the plans in place across the country to help end the HIV epidemic.
48. **THEREFORE, BE IT RESOLVED,** that the National Organization of Black Elected
49. Legislative Women supports legislation to ensure patient access to clinically appropriate
50. prescription drugs and related health care services by recognizing the importance of open
51. access to all FDA-approved HIV medications; and,
52. **BE IT FINALLY RESOLVED,** that additional legislative provisions should be
53. examined to safeguard affordable, preventative, and continuous patient access to HIV \
54. related health careservices and treatments.

**Introduced by The Honorable Laura Hall**

**Alabama Legislature**

1. Data from Centers for Disease Control and Prevention <https://www.cdc.gov/hiv/basics/statistics.html> (Visited 10/20/20) [↑](#footnote-ref-0)
2. Data from AIDSVu <https://aidsvu.org/national-latinx-aids-awareness-day-2020/>; (Visited 10/22/20) [↑](#footnote-ref-1)
3. Data from AIDSVu; <https://aidsvu.org/national-latinx-aids-awareness-day-2020/> (Visited 10/22/20) [↑](#footnote-ref-2)
4. Id. [↑](#footnote-ref-3)
5. Id. [↑](#footnote-ref-4)
6. See Medicare and Medicaid Are Important to Hispanic Americans, The National Committee to Preserve Social Security and Medicare, <https://www.ncpssm.org/documents/medicare-policy-papers/medicare-and-medicaid-are-important-to-hispanic-americans/> (Visited 10/22/20). [↑](#footnote-ref-5)
7. See Healthy People 2020, Social Determinants of Health, <https://www.healthypeople.gov/2020/topics-objectives/topic/social-determinants-health/interventions-resources/health-literacy> (Visited 10/22/20). [↑](#footnote-ref-6)
8. American Medical Association, “Prior Authorization and Utilization Management Reform Principles”. Available at: <https://www.ama-assn.org/system/files/2019-06/principles-with-signatory-page-for-slsc.pdf> [↑](#footnote-ref-7)
9. Stretching State Health Care Dollars: Pooled and Evidence-Based Pharmaceutical Purchasing. See section entitled, “Substitutions, Evidence-Based Preferred Drug Lists, and Supplemental Rebate”. Available at: <https://www.commonwealthfund.org/sites/default/files/documents/___media_files_publications_fund_report_2004_oct_stretching_state_health_care_dollars__pooled_and_evidence_based_pharmaceutical_purchasing_782_silow_carroll_stretching_pooledrx_pdf.pdf> [↑](#footnote-ref-8)
10. “Racial and ethnic differences in response to medicines: towards individualized pharmaceutical treatment”. Available at: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2594139/> [↑](#footnote-ref-9)
11. National Institute for Health Care Reform (NIHCR), “Impacts of Prior Authorization on Health Care Costs and Quality”. Available at: <https://www.nihcr.org/wp-content/uploads/Altarum-Prior-Authorization-Review-November-2019.pdf> [↑](#footnote-ref-10)