

	COL A03		COL A04		COL A05		CODES
	AGY REQUEST FY 2018-19 POS	AMOUNT	AGY REQ N/R FY 2018-19 POS	AMOUNT	AG REQ ANZ FY 2018-19 POS	AMOUNT	
CORRECTIONS, DEPT OF							70000000
PGM: HEALTH SERVICES							70250000
<u>INMATE HEALTH SERVICES</u>							70251000
PUBLIC PROTECTION							12
<u>ADULT PRISONS</u>							<u>1206.00.00.00</u>
HEALTH SERVICES							4800000
INFECTIOUS DISEASE DRUG TREATMENT							4800110
SPECIAL CATEGORIES							100000
INFECTIOUS DISEASE DRUGS							104550
GENERAL REVENUE FUND							1000 1
-STATE	19,329,495		19,329,495				
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AGENCY ISSUE NARRATIVE:

2018-2019 BUDGET YEAR NARRATIVE:

IT COMPONENT? NO

This issue requests \$19,329,495 in funding from the General Revenue Fund, for the treatment of approximately 500 high risk Hepatitis C (HCV) inmates. The Florida Department of Corrections (FDC) has no specified funding to provide treatment to inmates with HCV who meet current national treatment criteria. As a result, the Department was served with a class action lawsuit regarding treatment for HCV on May 10, 2017. The relief requested includes a requirement for the Department to develop and adhere to a plan to provide direct-acting antiviral (DAA) medications to all of the Department's prisoners with chronic HCV, consistent with standard of care.

The current cost of a 12-week regimen cost for HCV is \$37,533, using a newly announced treatment that the Department anticipates will soon be available through the national Multi-state Contracting Alliance for Pharmacies (MMCAP) purchasing consortium. The Department estimates that 97% of the treatment group would be able to be successfully treated with the standard 12-week regimen, while 3% would need a 24-week treatment regimen.

	High Risk Inmates	Treatment Cost	Total
12-week Treatment Regimen	485	485 @ \$37,533	\$18,203,505
24-week Treatment Regimen	15	15 @ \$75,066	\$ 1,125,990
Total Cost of Treatment Regimen	<u>500</u>		<u>\$19,329,495</u>

Other states have been dealing with HCV litigations since 2015. Minnesota and Massachusetts were served with class action lawsuits regarding HCV in May and June, 2015, respectively. In May, 2017, a federal judge granted class-action status to a lawsuit that accuses the State of Tennessee of systematically denying prisoners treatment for HCV.

Other state correctional jurisdictions are taking similar approaches in dealing with this issue. Wisconsin has spent approximately \$10,400,000 treating 200 inmates since July 2016 (Source: USA Today Network Wisconsin; May 25, 2017). Pennsylvania changed its policy in 2016 and had treated 100 prisoners with DAAs as of October 2016 (source: FiveThirtyEight, October 13, 2016).

In B.E. v. Dorothy F. Teeter, 16-cv-00227, the U.S. District Court (Court), Western District of Washington, ordered the State of Washington to provide HCV treatment under Medicaid, using the new protocols without regard to fibrosis. Following this ruling, Florida's Agency for Health Care Administration (AHCA) changed its policy on HCV treatment on June 1, 2016 to reflect the Court's decision, and required its Medicaid managed care plans to implement the new coverage by