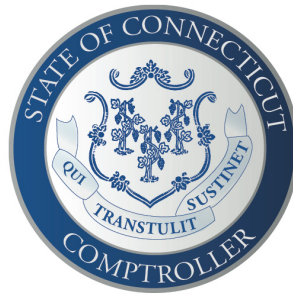


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**Written Testimony
Comptroller Kevin Lembo
March 6, 2018**

**Concerning
Senate Bill 246: An Act Limiting Auto Refills of Prescription Drugs Covered under the
Medicaid Program**

Good morning Senator Moore, Representative Abercrombie, Senator Markley and Members of the Human Services Committee:

Thank you for the opportunity to testify in support of Senate Bill 246: *An Act Limiting Auto Refills of Prescription Drugs Covered under the Medicaid Program*. SB 246 seeks to limit the use of automatic refills in the Medicaid program. Automatic refills of prescription drugs, while in some cases convenient, can result in significant waste. Sometimes the automatic refills are not stopped when a prescriber changes or discontinues a patient's medication, in other instances the automatic refill may trigger when a patient still has significant supply remaining due to changes in their drug regimen instituted by a provider or if a patient is not adherent to their drug regimen. A recent Government Accountability Office Report¹ found that some pharmacies were automatically enrolling Medicaid patients in auto refill programs without patient consent, resulting in significant potential waste. Such issues are not unique to the Medicaid program and are applicable to the commercially insured population as well. Currently, automatic refills are prohibited in Medicare Part D and in several state Medicaid programs.

SB 246 takes a measured approach to combat this problem. It allows the Medicaid Pharmaceutical and Therapeutics (P&T) Committee to make recommendations to the Department of Social Services regarding drugs that should be eligible for automatic refills. In doing so the bill would allow automatic refills to continue where warranted while eliminating such programs in instances when they may lead to waste. This is a common sense solution to reduce waste and lower costs in the state Medicaid program.

I thank you for the opportunity to testify and for consideration of this legislation.

¹ GAO, *Medicaid Additional Reporting May Help CMS Oversee Prescription Drug Fraud Controls*, July 2015.
<https://www.gao.gov/assets/680/671241.pdf>