



# Federal Judge Orders Washington Medicaid to Stop Limiting Hepatitis C Treatment

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Washington State's Medicaid program will no longer be able to restrict access to hepatitis C virus (HCV) treatment to its beneficiaries, thanks to a federal judge who ordered the state to halt a 2015 policy that was covering the expensive drugs only for people with the most severe stages of liver disease, [The Seattle Times reports](#).

Last week, U.S. District Court Judge John C. Coughenour granted a preliminary injunction against the Washington State Health Care Authority, ordering the agency to begin covering hepatitis C treatment "without regard to fibrosis score," a measure of liver scarring. The decision was made in response to a class-action lawsuit filed in February 2016, on behalf of two clients of Apple Health and nearly 28,000 Medicaid enrollees living with hepatitis C.

According to the lawsuit, two people, a Seattle woman, and a Lakewood man, were prescribed Gilead Sciences' hepatitis C cure Harvoni (ledipasvir/sofosbuvir) by their doctors, but were denied access to the drug because of its high cost.

Harvoni can cure hepatitis C in more than 90 percent of people who take it. However, the drug carries a list price of nearly \$94,000 per-person for a standard 12-week course of treatment. Throughout the complaint, Washington Medicaid directors argued that treating every HCV-positive person in the state would cost three times the agency's annual \$1 billion drug budget, a cost it is not prepared to handle.

However, federal authorities ruled that limiting access to a life-saving drug in the interest of a financial bottom-line was not consistent with state and federal Medicaid requirements that drugs be dispensed based on medical need. It's not clear how soon HCV-positive Medicaid beneficiaries in Washington will be able to fill prescriptions for Harvoni and other next-generation hepatitis C cures, but all parties have been ordered to report back in 60 days.

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