Kansas Settles Lawsuit Over Hepatitis C Treatment

The case alleged that the state's Medicaid system was setting too many barriers for HCV-positive patients.

July 17, 2018 By Casey Halter

The state of Kansas has agreed to settle a lawsuit alleging that its Medicaid system was setting too many barriers for patients with hepatitis C virus (HCV) to access lifesaving cures for the virus, KCUR reports.

The terms of the settlement have yet to be disclosed. But Lauren Bonds, the legal director of the ACLU of Kansas (which filed the lawsuit suit) told local reporters that she felt comfortable saying there was a path forward to opening up access to HCV treatment across the state. The Kansas Department of Health and Environment, a defendant in the lawsuit, also confirmed the parties in the case had reached an agreement.

Initially filed in February 2018, the lawsuit alleged that KanCare, Kansas's privatized Medicaid program was systematically denying patients coverage for direct-acting antiviral treatment. Currently, the state's health care program limits coverage to patients with fibrosis scores of F3 or F4, indicating moderate to significant liver damage or cirrhosis. The state has also been denying coverage to people who test positive for alcohol or illicit drug use unless they undergo six months of abstinence testing pre-treatment.

Such restrictions have been challenged in several states, including Missouri and California in recent years, with advocates alleging that the withholding of such medications is unconstitutional, discriminatory and bad health care policy.

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