



September 20, 2022

The State of Nevada, Department of Health and Human Services
Division of Health Care Financing and Policy (DHCFP)
Silver State Script Board.

Dear Committee Members:

On behalf of the Epilepsy Foundation and the Epilepsy Foundation Nevada, we urge you to ensure open access to all anticonvulsant medications on the state Medicaid preferred drug list.

Epilepsy is an individualized and complex neurological condition—making physician-directed, person-centered care vitally important so that each person with epilepsy with their healthcare provider's guidance can identify and remain on the most effective treatment critical. Epilepsy medications are not interchangeable, and treatment of epilepsy is highly individualized. Limiting access to lifesaving medications and interrupting proven treatment regimens due to drug formulary changes can result in harmful changes to patient therapies that are far costlier to the Medicaid program in the long run.

The Epilepsy Foundation is the leading national voluntary health organization that speaks on behalf of the at least 3.4 million Americans living with epilepsy and seizures, including 31,600 Nevadans. Epilepsy is a medical condition characterized by seizures, which are sudden electrical surges in the brain, and affects a variety of mental and physical functions. Approximately 1 in 26 Americans will develop epilepsy at some point in their lifetime.

The Epilepsy Foundation and Epilepsy Foundation Nevada support open access to epilepsy medications and oppose policies that would require failures on a medication or prior authorization before physician-directed medications can be secured. Drug formularies and related policies that require patients to “fail first” or worse yet, fail two, three or more times before a drug that has been recommended by a physician will be made available. Failure to have access to the appropriate medication can result in increased or breakthrough seizures, injury, accidents, additional medical and hospitalization costs, loss of earnings, and can even cause unexpected death. The mortality rate among people with epilepsy is two to three times higher than the general population and the risk of sudden death is 24 times greater.

Selection of the appropriate medication to prevent seizures is determined by a number of variables, including type of seizure, seizure frequency, age, gender, and other health conditions. Determining the right medication for a particular person may require trial-and-error, along with close observation of blood levels and side effects. For these reasons, physicians and their patients need to be assured that the full array of treatment options are available without onerous utilization management protocols, including alternative formulations of a drug such as extended-release versions that are particularly important for disease management and patient compliance among the individuals with multiple and



complex chronic conditions. The treating physician is in the best position to make the judgement about which medication is most appropriate for the individual patient.

Epilepsy medications are the most common and cost-effective treatment for controlling and/or reducing seizures. The very health and wellbeing of most individuals with epilepsy is dependent, to a great extent, on their anti-seizure medications. Thus, people with epilepsy and their medical providers are very concerned about the availability and access to anti-seizure medications. This is due to the unique nature of epilepsy and the different response to each medication. This is why many states and the federal Medicaid program provide access to all epilepsy medications.

We thank you for the opportunity to share the importance of physician-directed care and unrestricted access to anticonvulsants medications. The Epilepsy Foundation and Epilepsy Foundation Nevada oppose policies intended to restrict access and unnecessarily prolongs the individuals from immediately starting treatment that their physicians, who provide care based on their expert knowledge and experience, think is best. We urge you to provide open access to all anticonvulsant's medications on the state's preferred drug list. Please feel free to contact Dominique Brown, Senior Manager, State Relations & Policy at dbrown@efa.org or 301-918-3784 with any questions or follow up.

Sincerely,

A handwritten signature in black ink that reads "Laura Thrall".

Laura Thrall
President & CEO
Epilepsy Foundation

A handwritten signature in black ink that reads "Rodney Hamson".

Rodney Hamson
Executive Director, Regional Teams
Epilepsy Foundation Nevada