



**FOR IMMEDIATE RELEASE**

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### **ADAP Crisis Continues; Additional Action Required as Federal and State Governments and Pharmaceutical Companies Respond**

**July 21, 2010, Washington, DC** - There are now 1,879 individuals on waiting lists to receive consistent access to their HIV-related medications through AIDS Drug Assistance Programs (ADAPs) in 12 states. In addition to initiating waiting lists, 15 states have implemented or anticipate implementing other access restrictions such as lowering income eligibility criteria, removing drugs from their formularies and capping expenditures. Several states report an uncertainty about covering current clients through the end of the fiscal year without additional funding and several have disenrolled clients as their programs have decreased income eligibility levels. Other states are also considering this action. To see a [list of states with access restrictions](#) please visit NASTAD's website at [www.NASTAD.org](http://www.NASTAD.org).

"ADAPs are in crisis and all of our partners must continue to respond to ensure that eligible ADAP clients have access to their medications," remarked Julie Scofield, NASTAD's Executive Director. There are signs of success in addressing the crisis, but much remains to be done. "With most of the pharmaceutical company agreements in place and others still at the negotiating table, we again call upon Congress and state legislatures and Governors to provide sufficient funding to ease access restrictions in ADAPs nationwide," Scofield added. NASTAD believes that a comprehensive solution to the ADAP crisis requires increased resources from the federal and state governments as well as deeper discounts, increased rebates and price freezes from pharmaceutical manufacturers of HIV medications.

The Obama Administration recently announced that it is reprogramming \$25 million to address ADAP waiting lists and other unmet ADAP needs. This funding is expected to be distributed to states in mid-August. In addition, approximately \$17 million in Ryan White Part B Supplemental grants will be distributed to states in early August and is expected to be used in many states to help address ADAP needs.

"NASTAD commends President Obama and Secretary Sebelius for helping to provide funding to ADAPs during our nation's ongoing economic crisis," remarked Scofield. "At the same time, however, \$25 million is far less than what is required to shore-up all state ADAPs and prevent further cost-containment measures or access barriers," she continued. NASTAD and the HIV/AIDS community have been advocating for \$126 million in additional FY2010 funding. Last week, the House Labor-HHS-Education Appropriations Subcommittee recommended an increase of \$50 million for ADAPs in FY2011, which includes the \$25 million in reprogrammed FY2010 funding. NASTAD continues to advocate for additional resources for FY2010 and FY2011 and urges Congress to provide its fair share of increased resources to address the ADAP crisis.

State governments have traditionally and over time provided growing support to ADAP programs with a total contribution in FY 2009 of \$215 million. Although state support in 2009 decreased compared to 2008 as a result of state fiscal crises, there is evidence that state general revenue funds are being maintained, and in some cases increased, for ADAPs. NASTAD applauds state legislatures and governors who have prioritized funding for ADAPs in their budget processes.

For example, the North Carolina Governor and General Assembly recently appropriated an additional \$14.1 million in recurring funding to the state's ADAP, making it possible to remove 627 people from their waiting list which was previously the largest in the nation. This action brings North Carolina's contribution to \$25.5 million, or one half of the funding available for the state's ADAP clients. And California's yet to be enacted budget for FY2010-2011 includes a proposed increase of \$54.8 million in new general fund support, on top of the \$70.9 million in general fund support for FY2009-2010. For FY2010-2011, the total state general fund support would be \$125.6 million, which would exceed their federal ADAP grant. Even with the proposed general fund increase, however, the program proposes the elimination of ADAP services to city and county jails.

Other states, including Hawaii, Idaho, Missouri, Nebraska, Pennsylvania, Texas, Virginia, Washington, and Wisconsin, report that their legislatures and governors have also maintained or increased funds to ADAPs. NASTAD calls on other states to provide their fair share of increased resources to address the growing ADAP crisis.

Finally, NASTAD recognizes the contribution pharmaceutical manufacturers have made and continue to make to help alleviate the fiscal challenges ADAPs are experiencing. Abbott Laboratories, Boehringer Ingelheim, Gilead Sciences, Merck and Co., Tibotec Therapeutics and ViiV Healthcare have all reached substantial pricing agreements with the ADAP Crisis Task Force to provide deeper discounts and rebates as well as price freezes on HIV medications for all ADAPs. Negotiations continue with Bristol-Myers Squibb and Genentech and NASTAD urges these companies to quickly reach agreements with the ADAP Crisis Task Force.

NASTAD also applauds pharmaceutical companies for increasing access to their medications through Patient Assistance Programs for clients unable to obtain their medications through ADAP or other programs. Merck and Abbott, for example, are participating in a unique Patient Assistance Program administered through [Welvista](#). This program will provide expedited access to medications for people on ADAP waiting lists without the burden of enrollment in multiple company programs. NASTAD encourages other manufacturers of HIV medications to quickly join this program to help ease the burden that people on ADAP waiting lists face in obtaining their medications.

Founded in 1992, NASTAD is a nonprofit national association of state and territorial health department HIV/AIDS program directors who have programmatic responsibility for administering HIV/AIDS and viral hepatitis health care, prevention, education, and supportive services programs funded by state and federal governments. For more information, visit [www.NASTAD.org](http://www.NASTAD.org).