

Michigan settles lawsuit over hepatitis C treatment access

March 14 2018, by Ed White

The state of Michigan has agreed to settle a class-action lawsuit over a policy that restricts certain hepatitis C treatments in the Medicaid program.

Details of the agreement haven't been publicly disclosed, but a federal judge will get an update on March 29. Lawyers who filed the lawsuit on behalf of an Oakland County woman said the case could affect thousands of people.

The lawsuit alleged that the state has been allowing a new life-saving antiviral medicine only if a hepatitis C patient has serious liver damage. Medicaid is a federal-state health insurance program for people with low income.

"Medicaid enrollees in Michigan are therefore being unduly subjected to a second-class standard of [health insurance coverage](#) for the sole reason they are poor," lawyers at the Dickinson Wright firm said.

Hepatitis C is a blood-borne virus that infects the liver and can be fatal. The Centers for Disease Control and Prevention said it becomes a chronic disease for at least 70 percent of people who have it. It can spread through the use of dirty needles by drug users.

Nearly 12,000 Michigan residents had [chronic hepatitis](#) C in 2016. In response to the lawsuit, the state last year said there were "strong reasons" to restrict the newest treatment among Medicaid recipients,

including cost and side effects. The state said private health insurers have adopted limits, too.

"There is no national standard of practice to provide these medications without any restrictions. ... Contrary to plaintiff's admonition, that a drug has been approved by the FDA does not mean that it is medically necessary," said attorneys representing the Department of Health and Human Services.

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