

## New federal COBRA benefits

Thanks to a new law passed during North Dakota's 2009 legislative session, employees laid off by the state's smallest employers now have an opportunity to access an important health insurance subsidy.

North Dakota Insurance Commissioner Adam Hamm said the Insurance Department requested legislation to allow North Dakotans who work for small employers to have a second election period in order to take advantage of a subsidy that will pay 65 percent of the cost of maintaining health insurance. The American Recovery and Reinvestment Act of 2009, commonly referred to as the Stimulus Plan, extends the subsidy to those who worked for large employers through COBRA; the North Dakota amendment extends the same opportunity to those who worked for small employers.

Workers must have been involuntarily separated between Sept. 1, 2008 and Dec. 31, 2009 to qualify for the subsidy. Additionally, North Dakotans laid off from small businesses (fewer than 20 employees) between Sept. 1, 2008 and Feb. 17, 2009 who did not elect state continuation benefits when initially eligible are now entitled to a second election period, providing another opportunity to elect coverage. Employers had until May 19 to notify laid-off employees of the subsidy option. Applicants then have 60 days from the date of notice in which to elect coverage.

"Even if employees that were laid off initially said no to continued health coverage, they still need to be notified of this second election period," Hamm said.

Employees may qualify for the 65 percent subsidy for

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Adam Hamm  
Insurance Commissioner

Welcome to the *RxConnector* newsletter!

Dear friends,

This newsletter is designed to keep you up-to-date about the Prescription Connection for North Dakota program and to keep you in the know about the various prescription assistance programs that are available. From time to time, we may also include other items of interest related to Medicare and the State Health Insurance Counseling (SHIC) program.

As always, thank you so much for all that you do for the Prescription Connection program.

Without your help, our work would be that much harder. Your efforts are valued and appreciated.

If you have items of interest that you think should be included in this newsletter, we would love to hear about them. Please contact Sharon St. Aubin at [sstaubin@nd.gov](mailto:sstaubin@nd.gov) or call her at 1.888.575.6611.

Adam Hamm  
Insurance Commissioner



RxConnector is a publication of the Prescription Connection program.

Contact us at:

1.888.575.6611  
[insurance@nd.gov](mailto:insurance@nd.gov)  
[www.nd.gov/ndins](http://www.nd.gov/ndins)

up to nine months. Income limits may apply. The subsidy is reimbursed to the employer through a payroll tax credit.

“I encourage North Dakotans to look into this subsidy,” Hamm said. “For those who are eligible, it could make a real difference in the affordability of insurance coverage for people and their families.”

COBRA refers to the Consolidated Omnibus Budget

Reconciliation Act of 1985. COBRA applies to employers with 20 or more employees; mini-COBRA (also referred to as state continuation) applies to employers with fewer than 20 employees. More information about COBRA payments and the new law is available on the U.S. Department of Labor’s website at [www.dol.gov/COBRA](http://www.dol.gov/COBRA). Consumers are welcome to contact the Insurance Department at 1-800-247-0560 or [insurance@nd.gov](mailto:insurance@nd.gov).

## Stimulus checks for nursing home residents

Almost all long-term care residents will receive a one-time \$250 payment as part of the stimulus recovery package. The payments are intended for nursing home residents, not the long-term care facilities where they reside. Last month, HAP’s eNewsletter included information on the one-time \$250 economic recovery payment from the federal government that begins going out in May to people who receive Social Security and Supplemental Security Income (SSI) benefits.

Nursing home resident exceptions may include those SSI beneficiaries who receive benefits at a reduced

rate of \$30 because they live in a medical treatment facility and Medicaid pays over 50 percent of the cost of their care.

For more information, see SSA’s FAQ on the economic recovery payments.



## Expanded Assistive Technology Center to open in Bismarck

The North Dakota Department of Human Services, through its Rehabilitation Consulting and Services (RCS) initiative, is celebrating the opening of an expanded assistive technology lab and a newly created RCS Career Resource Center in Bismarck. The lab allows people with disabilities and employers to try specialized employment-related equipment, and the career resource center assists clients with employment searches.

“The ‘SOLUTIONS using AT’ Assistive Technology Lab showcases employment-related devices that promote independence and functional abilities at work and school,” explained Natasha Adamson, Bismarck RCS Consultant and Assistive Technology Coordinator. “The lab will give employees and employers an opportunity to learn about available assistive technology through a hands-on experience.”

The department’s Vocational Rehabilitation Director Nancy McKenzie said, “We are excited about the expanded lab because of its potential benefit to job seekers, employees, and employers. In light of the state’s need for quality workers, this lab gives individuals with permanent injuries, illnesses, or impairments an opportunity to see and use technology that may help them enter the workforce or maintain their current employment. It also gives business owners and employers a chance to view technology that may keep productive employees on the job should they incur a disability.”

For information about these resources, contact the Department of Human Services’ Rehabilitation Consulting and Services office in Bismarck at 701-328-8800, toll free 1-888-862-7342, or TTY at 701-328-8802.

*Source: N.D. Department of Human Services*

## Pfizer going to work for jobless by giving away medications



The recession might be a little less painful for some Americans, who won't lose their prescription medications if they lose their jobs.

Pfizer Inc. said it will give away more than 70 of its most widely prescribed drugs, including Lipitor

and Viagra, for up to a year to people who have lost jobs since Jan. 1 and have been taking the drug for three months or more. The announcement comes as the unemployment rate topped 8.9 percent in April.

Pfizer stands to benefit, too—by keeping its

customers, and with a tax write-off that will cover much of the cost of the donations. The move also buys the world's largest drugmaker goodwill as Washington looks to overhaul the health care system.

“Everybody knows now a neighbor, a relative who has lost their job and is losing their insurance. People are definitely hurting out there,” Dr. Jorge Puente, Pfizer's head of pharmaceuticals outside the U.S. and Europe, told The Associated Press.

The 70-plus drugs covered in the program include several diabetes drugs and some of Pfizer's top moneymakers, from cholesterol fighter Lipitor and painkiller Celebrex to fibromyalgia treatment Lyrica and Viagra for impotence.

Also included are some antibiotics, antidepressants, heart medications, contraceptives and smoking-cessation products.

*Source: The Associated Press*

## Procedure update for Part D denials and shortages

SHIPs may have heard the recent news about generic drug shortages for Toprol XL, a common medication taken for high blood pressure. When there is a shortage of a generic drug and the brand is available, it is in the beneficiary's best interest for the Part D plan to allow the pharmacy to fill the prescription with the brand name at the price of the generic version.

CMS does not currently provide guidance on this issue, but they are looking into the situation and would like to know if beneficiaries are experiencing rejections by their plans for brand name coverage. HAP is asking SHIPs to share any problems their

clients may be encountering so HAP can forward your comments to CMS, and help inform guidance development activities on this issue.

For beneficiaries in this situation, SHIP counselors may appeal for coverage and also advise beneficiaries to file a complaint with CMS. For more information on the Part D appeals process, visit HAP's Medicare Drug Coverage: Exceptions and Appeals webpage.

Medicare recipients in North Dakota who are having problems with Toprol XL should call 1-888-575-6611.

## Statistics on prescription drug plans

Among Part D enrollees who filled one or more prescriptions but did not receive low-income subsidies in 2007, one quarter (26 percent) had spending high enough to reach the coverage gap. Fifteen percent of these Part D enrollees who reached the coverage gap ultimately had spending high enough to reach catastrophic coverage.

*Source: The Medicare Part D Coverage Gap: Costs and Consequences in 2007, Kaiser Family Foundation, August 2008*

## NDAD funds some medications

The North Dakota Association for the Disabled is a nonprofit, charitable organization founded by concerned citizens for the purpose of assisting people with mental and physical disabilities in the state of North Dakota, many of whom are not eligible for services from other agencies.

NDAD eligibility is based on a per-case basis funding the following medications:

- Mental health
- Diabetic
- Muscle relaxants
- Diabetic supplies

- Anti-rejection medications
- Possibly others upon request

They WILL NOT consider:

- Topicals
- Controlled substances
- Pain medications
- High blood pressure medications
- Cholesterol medications

For more information, call 1-800-532-NDAD or visit [www.ndad.org](http://www.ndad.org).

## Family support organizations launch portal

Rural North Dakota families that have children with special health care needs or disabilities and providers are invited to access a new informational portal created by members of ND FamNet. The portal may be found at <http://www.ndcpd.org/ndfamnet>.

- ND Children's Special Health Services
- ND Protection & Advocacy Project
- PATH ND Inc.
- Pathfinder Parent Center
- North Dakota Disability Advocacy Consortium

ND FamNet is a rural health network with targeted outcomes in collaboration, training, system navigation, leadership and sustainability to strengthen its capacity to help rural families of children with special health care needs or disabilities. Participating agencies include:

- Designer Genes of ND
- Family Voices of ND
- Federation of Families for Children's Mental Health
- ND Childcare Resource & Referral
- ND Center for Persons with Disabilities
- ND Center for Rural Health

The portal makes it easier for families and providers to find participating family support agencies and to access new resources created by members of the Network. The portal includes information on how to navigate the system, a speaker's bureau, success stories that showcase effective models that really work for families, a new training library and much more.

The network's mission is to do together what may not be done alone to enhance the well-being of ND families of children, youth and adults with special health care needs or disabilities.

## Changes to application forms for prescription assistance programs

• Abbott has several changes. The Patient Assistance Program has an address change, and the diabetes care program has an address and fax number change.

• Pfizer Connection to Care has changed their income guidelines; the application has been updated; the new Pfizer application includes the Hardship Exceptions form; and Lyrica no longer needs its own form. Pfizer no longer requires a refill form

• Sanofi Aventis has an Eligard Reimbursement Hotline and the program application is now available

online. Sanofi Aventis also allows call-in refills for Lantus.

• The Takeda application now has a section for Medicare D enrollees.

• Biovail has changed their application and updated the income guidelines.

• Other companies which have also recently changed their application forms are Alcon, AZ and Me, Janssen Ortho, Solvay Pharmaceuticals and Teva.

## Raptiva being withdrawn from market

On April 8, 2009, Genentech Inc., the manufacturer of the psoriasis drug Raptiva (efalizumab), announced that it has begun a voluntary, phased withdrawal of the product from the U.S. market. The company is taking this action because of the possible risk of developing progressive multifocal leukoencephalopathy (PML), a rare but serious brain infection. By June 8, 2009, Raptiva will no longer be available in the United States.

Raptiva was approved by FDA for the treatment of moderate to severe plaque psoriasis.

Adverse events: PML leads to a gradual worsening in the way the nervous system works, which cannot be reversed, and death.

People at risk: People who have taken Raptiva and have severely weakened immune systems are most at risk. Longer, continuous use may further increase the risk.

Recommendations:

- If you are taking Raptiva, talk with your health care professional about switching to other treatments for psoriasis.
- If you have taken Raptiva, watch for symptoms of PML including unusual

weakness, loss of coordination, changes in vision, difficulty speaking and personality changes.

- Contact your health care professional immediately if you have any of these symptoms.



FDA actions: FDA has continuously reviewed information on Raptiva and reports of PML and kept the public and health professionals informed of the risks of the drug. In October 2008, FDA required the manufacturer to revise Raptiva's labeling to carry a boxed warning about the risks of life-threatening infections, including PML.

In February 2009, FDA alerted the public to reports of four people who had developed PML after using Raptiva continuously for more than three years. In March 2009, FDA approved a Medication Guide for Raptiva to be given to all patients each time they received the medication from a pharmacy. Also in March, FDA approved additional information in Raptiva's labeling regarding PML.

Source: FDA

## Hydroxycut products are recalled

The U.S. Food and Drug Administration (FDA) is warning consumers to immediately stop using Hydroxycut products by Iovate Health Sciences Inc., of Oakville, Ontario and distributed by Iovate Health Sciences USA Inc. of Blasdell, N.Y. Some Hydroxycut products are associated with a number of serious liver injuries. Iovate has agreed to recall Hydroxycut products from the market.

Hydroxycut products are dietary supplements that are marketed for weight loss, as fat burners, as energy-enhancers, as low carb diet aids, and for water loss under the Iovate and MuscleTech brand names.

Source: FDA

## Follow the Insurance Department on Twitter

Follow the North Dakota Insurance Department on Twitter to keep track of department and industry news.

See the Insurance Department's profile at [www.twitter.com/ndid](http://www.twitter.com/ndid).

Twitter, a social networking website, allows users to post comments up to 140 characters long.



Follow NDID on Twitter

## Did you remember to take your pills?

When it comes to taking your medicines, don't let your memory fail you. Taking medicines the right way could mean the difference between life and death. Many experts recommend making a list of all the medications you need to take. For each medicine, include how much you need to take, the time of day you should take it, what it is for and the name of the doctor who prescribed it. You can turn this list into a

daily checklist and post it in an obvious place in your house.

For more information, go to <http://newsinhealth.nih.gov/2009/April/feature2.htm>

*Source: Weekly Digest April 20, 2009*

## New labeling required for OTC pain and fever medicines

Makers of over-the-counter (OTC) pain relievers and fever reducers must revise their labeling to include warnings about potential safety risks associated with these popular drugs. These risks include internal bleeding and liver damage.

A Guide to Safe Use of Pain Medicine  
[www.fda.gov/consumer/updates/painmeds022309.html](http://www.fda.gov/consumer/updates/painmeds022309.html)

*Source: FDA*

For more information:

FDA press release

[www.fda.gov/bbs/topics/NEWS/2009/NEW02004.html](http://www.fda.gov/bbs/topics/NEWS/2009/NEW02004.html)

## Caraco brand of Digoxin tablets recalled

The generic drug maker Caraco Pharmaceutical Laboratories Ltd. has recalled several of its Caraco brand of digoxin tablets. The tablets are being recalled because they may differ in size and could have more or less of the active ingredient, digoxin, than stated on the label. Digoxin is a drug used to treat heart failure and abnormal heart rhythms.

The recalled products are 0.125 mg and 0.25 mg of Caraco Digoxin Tablets, USP, distributed before March 31, 2009, which are not expired but within the expiration date of September 2011.

**Adverse events:** Tablets with a higher dose of the drug than printed on the label may be toxic to people who take the product and who have kidney failure. Taking too much of the drug can cause nausea, vomiting, dizziness, low blood pressure, abnormal heartbeat and even death. Tablets with a lower dose of the drug than printed on the label may not be effective and could cause abnormal heartbeat.

**People at risk:** Anyone who has taken the recalled Caraco brand of digoxin tablets.

You can identify the recalled products by appearance:

- Caraco Digoxin, USP, 0.125 mg is a yellow round-shaped tablet with a cut mark (score) in the middle on one side and the imprinted number "437" on the other side.

- Caraco Digoxin, USP, 0.25 mg is a white round-shaped tablet scored in the middle on one side and imprinted with "441" on the other side.

**Recommendations:**

- Stop taking the recalled product and return it to your pharmacy or place of purchase.
- Contact your health care professional if you have questions.

*Source: FDA*

## Humira Prescription Assistance Program

Who?	What?
Unemployed and uninsured	You may be able to get HUMIRA at no cost to you through the Abbott Patient Assistance Foundation
Medicare Part D	You may be able to get help from an independent co-pay foundation
Employed with Rx insurance	You can reduce your co-pay to \$5 month*
Unsure of your status	Call 1-888-HUMIRA3 (1-888-486-4723)

\*This co-pay assistance program is not valid for prescriptions reimbursed under Medicare, Medicaid, or similar federal or state programs or private insurance in the Commonwealth of Massachusetts. Monthly co-pay assistance amounts are subject to predetermined limits.

## Insurance Department conducting health insurance study

The North Dakota Insurance Department is conducting a health insurance study this summer called CHAT, which stands for Choosing Health Plans All Together. CHAT allows small groups of consumers to make health insurance decisions together and learn from each other. The purpose of the study is to help North Dakotans better understand health insurance and to learn what consumers want and need from their health insurance.

Some participants will do the internet-based

exercise on their own. Others will do the exercise in a group setting with a facilitator at 13 different locations around the state: Williston, Dickinson, Bowman, Minot, Bismarck, Bottineau, Harvey, Devils Lake, Jamestown, LaMoure, Grand Forks and Fargo, Wahpeton.

If you or someone you know may be interested in participating in this study, please contact the North Dakota Insurance Department at 1-800-247-0560 or [insurance@nd.gov](mailto:insurance@nd.gov).

## Renter's Refund filing deadline extended to June 30

State Tax Commissioner Cory Fong announced recently that the deadline for filing for the Renter's Refund has been extended to June 30. The previous deadline was May 31.

"The Renter's Refund is an important program," said Fong. "It provides assistance to those who need it most—our low-income senior citizens and disabled persons."

The Renter's Refund is a program for low-income senior citizens and disabled persons to receive a refund for part of the money they paid as rent for their home or apartment.

"It's important that we get the word out that the deadline is extended," said Fong. "We want to be sure that everyone who thinks they might be eligible for a refund has enough time to apply."

The Tax Department administers the Renter's Refund, which is available to low-income renters who are 65 or older or permanently and totally disabled. There are certain additional requirements in order to qualify for the Renter's Refund.

If 20 percent of the total amount of rent paid is more than four percent of their 2008 income, they could be eligible for a refund. The maximum refund amount is \$240.

Fong encourages people who think they may qualify to call the Tax Department at 701.328.3127 or 877.328.7088 option 6. The application form is also available on the Tax Department web site at [www.nd.gov/tax/property/forms/renters-refund-application-enabled.pdf](http://www.nd.gov/tax/property/forms/renters-refund-application-enabled.pdf).

*Source: North Dakota Tax Department*