

PART D

MID-YEAR FORMULARY CHANGES

If your drug plan makes changes to its formulary during the year, you have certain rights depending on why the plan made the change.

- If a drug is declared unsafe by the Food and Drug Administration (FDA), a plan can remove a drug from their formulary at any time.
- When a drug is removed by the FDA, the plan must notify anyone who might be affected.
- If the plan is making maintenance changes, they must provide you 60 day notice or provide you with a 60 day transition fill. Maintenance changes include covering a generic drug instead of a brand-name drug or adding quantity limits for drugs the FDA adds warnings to, and making formulary changes based on clinical best practices and safety concerns.
- If your plan is making non-maintenance changes, which is any other change, and you are already taking the drug you must be allowed to continue taking the drug for the rest of the year as long as it is medically necessary.
- Your plan must also send you a notification in the mail stating that the drug is no longer on their formulary but it will be covered for you for the rest of the year.
- When a plan makes any of these changes, they are required to update the both the online and print version of their formulary.
- If you are going to be affected by any of these changes to your plan's formulary, they must send you a copy of the updated plan's formulary in the mail.