

I Need Medi-Cal Authorization for Prescriptions



Medi-Cal's Treatment Authorization Request (TAR) Application

Dear ALRP:

I get my medical insurance through Medi-Cal. I need some drugs, but my doctor says I can't get them until he sends in something called a TAR and Medi-Cal says ok. What is he talking about? I need my AIDS drugs!
- *TARred and feathered in SF*

Dear TARred,

Your doctor is talking about Medi-Cal's Treatment Authorization Request ("TAR") procedure, which physicians must follow to prescribe certain medications, but not others. Here's how it works:

TAR Application Process

A TAR is an application asking Medi-Cal to cover certain drugs and medical procedures that it does not cover automatically. If the drug your doctor wants to prescribe is on Medi-Cal's "List of Contract Drugs," your doctor does not need to complete a TAR. A physician can (usually) just prescribe the drug, and Medi-Cal will pay automatically. You should note, however, that some drugs on the list can only be prescribed for certain people or diseases (e.g., birth control pills for women).

On the other hand, for drugs *not* on the list, Medi-Cal requires "prior authorization" before paying for the drug. Your physician or pharmacist will need to complete a TAR for Medi-Cal's review. Medi-Cal will then approve the request, deny the request, or ask for more information.

TAR Denials

You can file an appeal with Medi-Cal. If you were previously approved for the drug and were denied reauthorization of your treatment, you can continue to receive the drug while your appeal is pending under a temporary extension called "aid paid pending."

Please note that this extension is only available if you filed your reauthorization within 10 working days of the end of your previous authorization period. Therefore, do not forget to submit your application on time! Unfortunately, if your physician is submitting a TAR for the first time for your requested drug, Medi-Cal has no obligation to pay for the requested drug during the appeals process. Consequently, you will have to either get the drug through another source or wait until Medi-Cal has finalized your appeal. The appeals process may last as long as several weeks.

Retroactive Authorization?

Generally, a physician cannot prescribe a drug and later send Medi-Cal a TAR. Medi-Cal permits retroactive authorizations only under *very* limited circumstances. Limited circumstances mostly include situations that prevented a proper TAR submission and were beyond your physician's control (e.g., natural disasters). Because physicians understand the difficulty in obtaining retroactive authorization, your doctor is unlikely to prescribe you a drug without Medi-Cal approval. There are special rules for emergency hospitalization and treatment, but these do not apply to most HIV medications.

Help with the Appeals Process

If the Medi-Cal appeals process confuses you, and you do not know what to do, ask for help! Contact one of the AIDS or other service organizations here in the Bay Area for help. If you are HIV-positive, the AIDS Legal Referral Panel can help you navigate the process. If you are not sure which organization can assist you, ask friends for referrals, check the Internet, check the yellow pages, or call a known service organization for guidance.

This Legal Q&A Guide was last revised in July 2011. It is intended to provide general legal information to people living with HIV/AIDS in California. However, because laws change frequently ALRP cannot ensure the complete accuracy of the information included. Please call ALRP at (415) 701-1100 to consult with an ALRP attorney about your legal rights in your particular situation.