

EDWARD J. MARKEY
MASSACHUSETTS

COMMITTEES:

ENVIRONMENT AND PUBLIC WORKS

FOREIGN RELATIONS

RANKING MEMBER:

SUBCOMMITTEE ON EAST ASIA, THE PACIFIC,
AND INTERNATIONAL CYBERSECURITY POLICY

COMMERCE, SCIENCE, AND TRANSPORTATION

RANKING MEMBER:

SUBCOMMITTEE ON
SPACE, SCIENCE, AND COMPETITIVENESS

SMALL BUSINESS AND ENTREPRENEURSHIP

CHAIRMAN:

U.S. SENATE CLIMATE CHANGE TASK FORCE

United States Senate

February 11, 2019

SUITE SD-255
DIRKSEN BUILDING
WASHINGTON, DC 20510-2107
202-224-2742

975 JFK FEDERAL BUILDING
15 NEW SUDBURY STREET
BOSTON, MA 02203
617-565-8519

222 MILLIKEN BOULEVARD, SUITE 312
FALL RIVER, MA 02721
508-677-0523

1550 MAIN STREET, 4TH FLOOR
SPRINGFIELD, MA 01103
413-785-4610

Vice Admiral Jerome M. Adams, M.D., M.P.H.
Surgeon General of the United States
U.S. Department of Health and Human Services
200 Independence Ave., S.W.
Humphrey Bldg. Suite 701H
Washington, DC 20201

Dear Dr. Adams,

I write to call your attention to the enclosed guidance that the Massachusetts Division of Insurance issued last week, which addresses how, in underwriting analyses, life insurance companies should approach prescriptions for the opioid overdose reversal medication naloxone.

In December 2018, WBUR in Boston ran a story about a Good Samaritan who was denied a life insurance policy because naloxone was included on the applicant's list of medications. The medication was not for personal use, but to potentially save the life of another experiencing an opioid overdose. Denial of a life insurance policy application solely because an applicant carries naloxone both impedes state and local efforts to expand access to it and undermines your April 2018 call for more Americans to carry the life-saving medication. We must be doing all we can to make access to naloxone easier, not harder, for all Americans. Knowing that carrying naloxone could result in the denial of an insurance policy application would undoubtedly dissuade individuals from obtaining it to help save the life of a loved one or even a stranger.

When I learned of this issue, I immediately wrote to the National Association of Insurance Commissioners and the American Council of Life Insurers to better understand the extent of this problem. Massachusetts has now taken the lead, issuing guidance for life insurers on how to approach naloxone prescriptions. I hope that other states will adopt or replicate this guidance.

I will continue to monitor this issue and hope that we can find a way to work together should these insurance policy application denials persist. I look forward to continuing to work with you to address the opioid overdose crisis that continues to claim far too many American lives.

Sincerely,



Edward J. Markey
United States Senator