



**COMMONWEALTH OF MASSACHUSETTS**  
**Office of Consumer Affairs and Business Regulation**  
**DIVISION OF INSURANCE**

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**BULLETIN 2022-05**

To: All Commercial Insurers, Blue Cross and Blue Shield of Massachusetts, Inc.,  
and Health Maintenance Organizations

From: Gary D. Anderson, Commissioner of Insurance 

Date: May 20, 2022

Re: Relaxation of Prior Authorization for Prescription Infant Formula in Response to Severe  
Supply Chain Disruptions

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The Division of Insurance (“Division”) issues this Bulletin 2022-05 to Commercial Health Insurers, Blue Cross and Blue Shield of Massachusetts, Inc., and Health Maintenance Organizations to identify the Division’s expectations regarding the need to relax prior authorization for prescription infant formula due to temporary shortages of infant formula related to significant supply chain disruptions.

Patients in need of prescription medical infant formulas are put at risk by delays in obtaining formula including waiting for prior authorization approval. Patients may suffer from dehydration or malnutrition, and they may require emergency department stays or hospitalization, as well as delays in discharge. Further, due to severe supply chain issues, in some instances the prescribed formula is no longer available by the time the prior authorization is approved, requiring the patient to obtain an alternative prescription and/or dose depending on the patient’s condition and dietary needs.

**Flexibility in Health Carrier Administrative Processes**

Due to severe supply chain issues causing the formula shortage, the Division expects Carriers to forego prior authorization reviews for any prescription infant formulas for a period lasting for 90 days following the issuance date of this Bulletin. This Bulletin applies to all prescription infant formula that is covered by either a health plan’s pharmacy or medical benefits.

**Carriers Acting As Administrators**

When Carriers are acting as administrators for employment-sponsored non-insured health benefit plans, the Division expects Carriers to encourage plan sponsors to take steps that are consistent with the provisions of this Bulletin 2022-05. Plan sponsors should be made aware of the exigent circumstances, and Carriers should do all they can to encourage plan sponsors to take steps to provide the administrative relief set forth herein for the period lasting for 90 days following the issuance of this Bulletin.

If you have any questions about this Bulletin, please contact Kevin Beagan, Deputy Commissioner for the Health Care Access Bureau, at (617) 521-7323.