



MEMO OF SUPPORT

A.901 (McDonald)

On behalf of the NY Step Therapy Alliance, comprised of stakeholder members across more than 10 disease communities including oncology, respiratory, and hematology, we write in support of S.A.901, an act that will amend the rules and enforcement of step therapy protocols to better protect patients.

Specifically, the bill would prohibit an insurer from requiring a patient to step through a drug that does not have an FDA-approved indication to treat the patient's disorder or disease; would prohibit an insurer from forcing a patient try and fail on more than one drug before providing coverage to the originally prescribed medication; would prohibit plans from forcing a patient to try and fail on the same drug they tried and failed on a different plan within the last 365 days; and would honor step therapy exceptions for 12 months after the date of approval or renewal of the plan.

Collectively, the undersigned organizations support this bill as patients should not be forced to "step-through" a treatment not prescribed by their clinician for any longer than necessary.

Typically, clinicians can determine within 30 days if a treatment is working for the patient. Thus, forcing patients to continue to take a medication beyond the time reasonably necessary to determine if the treatment is effective, is inappropriate and forces patients to continue to experience symptoms without relief. This legislation would prohibit this practice by limiting the time in which a patient is required to try and fail on a medication to 30 days.

Similarly, the bill would ensure that patients who have previously tried and failed a treatment on a current or previous insurance plan within the past year would not be required to repeat that failed treatment as a step in their process to receiving access to the therapy their clinician has prescribed. Delays in treatment can lead to a worsening of the patient's condition and increased costs to the patient and the health care system due to unexpected doctor visits and trips to the emergency room. For those patients with serious chronic illnesses like cancer or macular degeneration, every day counts towards fighting their disease and repeating a failed treatment wastes precious time.

Moreover, specific restrictions are necessary to ensure that insurers ultimately provide access to the therapy prescribed to patient by their clinicians and are not immediately switched upon gaining access, the bill correctly requires insurance companies to honor a step therapy exception until 12 months after the date of approval or renewal of the plan. Such a requirement provides patients the peace of mind that once they

finally do gain access to the treatment they were prescribed, they will not be switched immediately by their plan.

On behalf of the undersigned organizations, we strongly urge you to pass A.901 to protect patients and ease the burden for providers. This bill will not remove step therapy as a utilization tool, but rather will better protect patients from abuse and over utilization. We thank you for your consideration.

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Coalition of State Rheumatology Organizations

Epilepsy Foundation Northeastern New York

FORCE: Facing Our Risk of Cancer Empowered

Lupus and Allied Diseases Association, Inc.

Mental Health Association in New York State

National Eczema Association

New York Chapter American College of Physicians Services, Inc.

New York State Bleeding Disorders Coalition

Rare Access Action Project