



American Cancer Society
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February 26, 2020

TO: The Honorable Delores G. Kelley, Chair
The Honorable Brian J. Feldman, Vice Chair
Members of the Senate Finance Committee
3 East
Miller Senate Office Building
Annapolis, MD 21401

FROM: Jocelyn Collins, Maryland and DC Government Relations Director
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SUBJECT: SB 952 Health Insurance—Requirements for Establishing Step Therapy Protocol and Requesting Exceptions

POSITION: SUPPORT

The American Cancer Society Cancer Action Network (ACS CAN) is the nonprofit, nonpartisan advocacy affiliate of the American Cancer Society. We support legislation that balances protecting patients when a step therapy protocol would produce an adverse health outcome, with allowing for the use of step therapy when it is appropriate for controlling costs. On behalf of our constituents, many of whom have been personally affected by cancer, we stand in support of SB 952.

Step therapy is a tool insurers use to limit how much they spend covering patients' medications. Under a step therapy protocol, a patient must try one or more drugs chosen by their insurer—usually based on financial, not medical, considerations—before coverage is granted for the drug prescribed by the patient's health care provider.

Patients may be required to try one or more alternative prescription drugs that are of lower cost to the insurer, but may not be the best therapy for some patients.

Scientific breakthroughs mean that, in many cases, a cancer diagnosis now can be managed and treated. Patients need the ability to quickly assess their condition with their doctors and find the best course of treatment for their individual medical needs. Delays in access to the best treatment available, that could be experienced as a result of patients having to go through a step therapy protocol, can pose significant risk to the treatment of disease.

Step therapy can undermine physicians' ability to effectively treat patients, can lower quality of care, and lead to setbacks and disease progression for patients.

Exemptions from step therapy do not prohibit insurers from using step therapy but seek to balance cost containment with patient needs. ACS CAN supports SB 952/HB 1359 because it protects patients by: ensuring that step therapy programs are based on clinical guidelines developed by independent experts; by ensuring that the exceptions process for step therapy is transparent and accessible to patients and health care providers; and by establishing a basic framework for when it is medically appropriate to exempt patients from step therapy.