

MEMO OF SUPPORT

A1825 (Conaway & Verrelli)

Dear Chairman Conaway, Vice-Chair Lampitt, ranking members of the Committee:

On behalf of the SAIM Coalition, a stakeholder group that represents both medical professional organizations and a broad set of patient organizations across spaces such as oncology, dermatology, rheumatology, immunology, and hematology, we write in support of A1825, an act that will amend the rules and enforcement of step therapy protocols to better protect patients. We urge the Committee to pass this bill.

As you know, step therapy policies, also referred to as “fail first,” require insured individuals to try and fail on one or more insurer-preferred treatments, sometimes with adverse effects, before the insurer or pharmacy benefit manager will cover prescribed treatments. Such policies can be unethical and inconsistent with sound scientific and clinical evidence, resulting in interference with practitioner-patient relationships and significant delays in access to prescribed treatments. For patients with progressive diseases, such as cancer, time-consuming step therapy policies may worsen their diseases, cause irreversible effects, or even result in death.

If passed, A1825 would protect residents of New Jersey from burdensome and unnecessary forms of step therapy by creating a set of criteria that patients could cite to bypass a step therapy protocol and ensuring that insurers create and implement their step therapy protocols in a fair and transparent way. Importantly, the bill does *not* ban the practice of step therapy. Instead, it protects patients from excessive or abusive forms of step therapy by creating a set of bases for exception requests that patients and their doctors could use to shorten or bypass step therapy protocols if they can demonstrate that the protocol would require the patient to “fail” on one or more therapies that are clearly inappropriate for the patient’s condition. Additionally, the bill also would require insurers to publicize the existence of this exceptions request process, respond to exceptions requests in a timely manner, and annually report data about the number and nature of step therapy appeals which are requested, appealed, denied, and granted.

By increasing transparency around the practice of step therapy and providing patients and doctors with the tools they need to request exceptions in situations where step therapy is clearly inappropriate, A1825 would protect residents of New Jersey from inappropriate delays in care and prevent insurers and PBMs from disregarding the doctor/patient consensus on how the patient’s health should be managed. For these reasons, the signing organizations **support** the above referenced legislation and urge the Assembly Health Committee to pass A1825.

Sincerely,

National Psoriasis Foundation
American Society of Clinical Oncology
American Cancer Society Action Network
National Eczema Association
Susan G. Komen
Arthritis Foundation
National Bleeding Disorders Foundation
Coalition of State Rheumatology Organizations
National Organization for Rare Disorders
Arthritis Foundation of New Jersey

Hemophilia Association of New Jersey
New Jersey Rheumatology Association
Chronic Disease Coalition
Infusion Access Foundation
National Infusion Center Association