



MEMORANDUM IN SUPPORT
A.2834C – Titone

A bill that retains the requirement that clinical review criteria for step therapy protocols be peer reviewed and evidence-based.

The New York State Council, representing nearly 100 behavioral health (mental health and substance use) prevention, treatment, and recovery organizations across New York, **supports this legislation, A. 2834C – Titone**, to amend the insurance law and public health law, in relation to expedited utilization review of prescription drugs.

Step therapy protocols often require that patients try and fail on less effective treatments before the insurer will cover the treatment originally prescribed by the physician. The goal of step therapy is to ensure that safe and cost effective medications are used but in actuality, step therapy unnecessarily prolongs ineffective treatment, prevents patients from immediately starting treatments that their physicians prescribe, and may be detrimental to patient care. Delays in treatment can cause health and economic consequences. A delay in treatment slows the healing process, exacerbates health problems, and in some cases can actually increase costs.

This legislation would retain the requirement that clinical review criteria for step therapy protocols be peer reviewed and evidence-based. The legislation would protect the best interest of the patient by allowing for an override determination by both the health care professional and patient and setting specific time frames for when an override determination must be made (72 hours regularly and 24 hours in emergency cases). The legislation would also make all step therapy protocol requirements eligible for an appeal.

The NYS Council believes that this bill is in the best interest of patients to ensure they getting the most appropriate care at the appropriate time. **Therefore, we urge the enactment of this legislation, A. 2834C – Titone, this session.**