

Dear Governor Hochul-

We, the undersigned organizations, thank you for the historic investments your administration has made in the mental health system. The policy initiatives led by your administration related to increasing access to mental health care across New York State have had meaningful impacts, but there is more work to be done. We write to urge you to include consumer protections in your Executive Budget that would prohibit insurers from using tactics to deny New Yorkers critical access to care when living with serious mental illness. Specifically, we ask that you include statutory language in your Executive Budget that would prohibit insurers from using prior authorization, fail-first or step therapy protocols on prescription medication for treatment of serious mental illness (See A.7522/S.6688-A, 2024 session for reference).

It is imperative that patients have timely access to the treatments and medications that work best for them. Prior authorization, fail-first and step-therapy protocols all act as a barrier to receiving the needed treatment for these serious mental health conditions. Requiring a patient with chronic mental health problems to fail, sometimes multiple times, before they can access the medication that works best for them puts these patients in danger. The treatment of these conditions, which include bipolar disorder, schizophrenia, and major depressive disorders require timely access to life-stabilizing and life-saving medications.

Unnecessary barriers imposed by insurers, can result in a patient waiting months to switch to another medication which increases the likelihood of adverse impacts such as emergency hospitalizations and can lead to patients to abandon treatment all together. Patients from lower socioeconomic classes and marginalized communities are even more negatively impacted by these practices because they are not able to pay out of pocket expenses or seek care elsewhere. Individuals suffering from serious mental health conditions are often at severe risk of deterioration which can lead to them becoming a danger to themselves or others. Medication in these situations needs to be timely and consistent to avoid self-harm and harm to others.

Prior authorization, fail-first and step therapy tools serve only to delay necessary treatment and allow medical conditions to irreversibly worsen. It is imperative for patients to have timely access to the treatments and medications that work best for them as determined by their doctor, not their insurer.

For all of these reasons, we encourage you to include this proposal in your Executive Budget proposal.

Thanks,

NAMI-NYS

Legal Action Center

VIP Community Services

Callen-Lorde Community Health Center