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STATEMENT

In Opposition to Kansas Senate Bill 181

Position: The Pharmaceutical Research and Manufacturers of America (PhRMA) respectfully opposes SB 181 which would allow the Secretary of Health and Environment to delay use of a medicine recently approved by the Food and Drug Administration (FDA) before the Drug Utilization Review Board (DURB) has the opportunity to review the drug. This could keep patients waiting for new treatment options from being able to access innovative medicines in a timely manner.

SB 181 gives the Secretary the authority to prevent access to newly approved medicines before the DURB reviews the drug which could make it difficult for patients to receive new medicines in a timely manner. Any delays or utilization management should only occur through careful consultation with the DURB. The Department should not be granted the authority to unilaterally delay access before the DURB has had the opportunity to review.

In 2014, the FDA approved 41 new medicines. Approvals in 2014 are also notable for the new ways they treat disease and important benefits they will bring to patients. Nearly 41 percent of the medicines approved in 2014 were first in class treatments, meaning that they treat disease in a completely new way, giving hope to many who are out of options. SB 181 would delay access to these potentially life-saving medication for people seeking alternative treatments. Given that generic substitution rates are very high, providers are only prescribing an innovative medicine when a patient truly needs one.

The barrier created in SB 181 could have a negative health outcome on patients. In turn, any negative health outcome could add considerable cost to the Medicaid program. Patients who do not receive the right drug at the right time can cost the Medicaid program more in the long-run, like additional physician visits, ER visits, and hospitalizations.

What is more, patients facing a life-threatening disease who have exhausted all other treatment options need immediate access to new medicines that may extend and improve their lives. These patients, who are out of treatment options, need urgent access to new therapies. The delays contained in SB 181 would negatively impact their ability to access FDA approved treatments.

SB 181 could lead to inadequate treatment for patients who may have no other options. For these reasons, PhRMA encourages Kansas legislators to oppose Senate Bill 181.

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