



**Alliance for  
Patient Access**

February 22, 2019

The Honorable Gene Suellentrop  
Chair  
Senate Public Health and Welfare Committee  
Kansas State Capitol, Room 118-N  
300 SW 10th Street  
Topeka, KS 66612

***Re: SUPPORT for Kansas Step Therapy Bill SB93 - Establishing restrictions on the use of step therapy protocols by health insurance plans.***

Dear Chairman Suellentrop:

On behalf of the Alliance for Patient Access (AfPA), I write in support of Senate Bill No. 93 (SB 93) that is before your Committee for consideration.

AfPA is a national network of physicians and health care providers, including members practicing in Kansas, with the shared mission of ensuring patient access to approved therapies and appropriate clinical care.

Step therapy is a so-called utilization management tool used by health insurers to contain health care costs. Sometimes referred to as “fail first,” step therapy protocols require patients to try and fail on one or more medications, usually lower cost medications, before the patient can access the medicine as prescribed by their treating physician.

SB 93 makes treatment more accessible through a series of step therapy reforms and gives providers the ability to determine the best treatment regimen, without unnecessary risk or delay to the patient. Of note, the legislation does not prohibit the use of step therapy protocols but places greater emphasis on protecting the patient’s treatment plan - as determined by the patient’s medical history, the prescriber’s clinical expertise, and based on clinical practice guidelines.

The bill requires a clear and concise review by health insurance plans when a request is made for a step therapy exception, with a new requirement that health insurers make the process available on their website. The bill also delineates the time frame in which a health insurance plan shall

respond to a request for a step therapy exception - within 72 hours upon receipt of the exemption request and within 24 hours under exigent circumstances.

In all, this legislation achieves the goals that AfPA members believe lead to optimal healthcare outcomes, including cost savings, specifically:

- Preserving the patient-physician relationship - whereby a patient may access optimal and timely drug treatment, as prescribed by his or her health care provider;
- Protecting patients from repeating treatments that have caused harm or a previous adverse reaction, or those that would put their stable condition into jeopardy; and
- Promoting better health by limiting the unnecessary need for additional doctor's visits or hospitalizations that may have been caused by the use of a step therapy drug.

On behalf of the Alliance for Patient Access and Kansas prescribers, I urge your support of SB 93 by prioritizing this legislation for full Senate consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Brian Kennedy". The signature is fluid and cursive, with a large initial "B" and "K".

Brian Kennedy  
Executive Director  
Alliance for Patient Access