



*Testimony submitted to the Joint Committee on Health Care Financing
In Support of H.1853 – An Act relative to fail first and patient safety
And S.1235 – An Act relative to step therapy and patient safety
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Step therapy or “fail first” protocol is used by health insurers to control costs. It requires patients to try drugs, usually less expensive ones, first, regardless of the circumstances. It is time-consuming from both a physician and patient standpoint, and denies patients the drugs they *need* when they *need* them. Step therapy often may increase costs by demanding trial of less expensive drugs that prove to be less effective. This practice may delay recovery and may require medical intervention later. Such results, in turn, can increase frustration and depression that may lead to non-compliance and self-medication.

This bill would establish a process for health care providers to request exceptions to the step therapy protocol. The insurance companies would need to establish rules for exceptions from existing step therapy protocols and grant their use under certain circumstances. Health care providers will then be able to ask to be exempt from the step therapy protocol based on the rules of exception. The bill also would establish a commission to study the protocol exceptions and provide a timely assessment and evaluation of the effectiveness of step therapy based on costs and patient outcomes.

Drug costs are in the forefront of discussions in every state as well as in Washington. As more insurance plans are implementing step therapy, seventeen states have some form of bill related to step therapy protocols. An honest assessment of the effectiveness will be helpful in determining the value, if any, of step therapy.

The League of Women Voters of Massachusetts, representing 47 local Leagues across the state, believes that health care policy goals should include the equitable distribution of service and delivery of care. For that reason, we ask that you report this bill favorably.

Thank you for your consideration.