



Support: SB 990 Maryland Medical Assistance Program and Health Insurance - Step Therapy, Fail-First Protocols, and Prior Authorization - Prescription Drugs to Treat Serious Mental Illness

3/3/24

Maryland Senate
Finance Committee
3 East
Miller Senate Office Building
Annapolis, Maryland 21401

Dear Honorable Chair, Vice-Chair and Members of the Committee:

On behalf of the pediatric nurse practitioners (PNPs) and fellow pediatric-focused advanced practice registered nurses (APRNs) of the National Association of Pediatric Nurse Practitioners (NAPNP) Chesapeake Chapter, I am writing to express our support of **SB 990 Maryland Medical Assistance Program and Health Insurance - Step Therapy, Fail-First Protocols, and Prior Authorization - Prescription Drugs to Treat Serious Mental Illness.**

This legislation would prohibit the Maryland Medical Assistance Program and certain insurers, nonprofit health service plans, health maintenance organizations, and managed care organizations from applying a prior authorization requirement, step therapy protocol, or fail-first protocol for drugs to treat certain mental illnesses or a medication-induced movement disorder associated with the treatment of a serious mental illness. These drugs would be used to treat the following disorders:

- BIPOLAR DISORDER
- SCHIZOPHRENIA
- MAJOR DEPRESSION
- POST-TRAUMATIC STRESS DISORDER
- MEDICATION-INDUCED MOVEMENT DISORDER ASSOCIATED WITH THE TREATMENT OF A SERIOUS MENTAL ILLNESS

Prior authorization—sometimes called preauthorization or precertification—is a health plan cost-control process by which physicians and other health care providers must obtain advance approval from a health plan before a specific service is delivered to the patient to qualify for payment coverage.. Step therapy (fail first therapy) is a process by which insurers (public or private) require patients to try and fail on one or more medications chosen by their insurer before they can access the optimal treatment recommended and prescribed by their healthcare provider. Sometimes the preferred drugs are cheaper to the patient and sometimes they are not. Insurers can make a higher profit on the drugs they force patients to step through, and this is sometimes why they implement the policy. Other times, fail first represents a generic drug which can be cheaper for the patient and less profitable for the insurer.

All of these regulations result in a delay in care in prescribing the medication, the patient obtaining the medication and the patient benefiting from the medication. When a patient has to fail first on a drug before being allowed to take the medication originally prescribed, the patient, physician and public health suffers.



This practice can result in serious negative consequences for consumers and the public health system. By limiting the medication options, both doctors and patients are forced to compromise their treatment decisions in a way that is dangerous, time consuming and more expensive in the long-term.

Often, when a patient's insurance changes, the new company requires the fail first process to start again. With no limitations, fail first wreaks havoc on the lives of patients with chronic disease and their providers.

For these reasons the Maryland Chesapeake Chapter of NAPNAP extends their support to **SB 990 Maryland Medical Assistance Program and Health Insurance - Step Therapy, Fail-First Protocols, and Prior Authorization - Prescription Drugs to Treat Serious Mental Illness** and requests a favorable report.

The pediatric advanced practice nurses of your state are grateful to you for your attention to these crucial issues. The members of Chesapeake Chapter of the National Association of Pediatric Nurse Practitioners memberships includes over 200 primary and acute care pediatric nurse practitioners who are committed to improving the health and advocating for Maryland's pediatric patients. If we can be of any further assistance, or if you have any questions, please do not hesitate to contact Lindsay J. Ward, the Chesapeake Chapter President at 410-507-3642 or MDChesNAPNAPLeg@outlook.com.

Sincerely,

A handwritten signature in black ink that reads "Lindsay J. Ward". The signature is written in a cursive, flowing style.

Lindsay J. Ward CRNP, RN, IBCLC, MSN, BSN
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Evgenia Ogordova

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National Association of Pediatric Nurse Practitioners (NAPNAP)
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