

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

February 22, 2023

Chairwoman Griffith and Members of the Finance Committee,

On behalf of the 1.4 million Maryland residents with doctor-diagnosed arthritis, thank you for the opportunity to submit testimony in support of Senate Bill 515, which addresses step therapy reform. The Arthritis Foundation understands utilization management tools such as step therapy can play a role in helping payers manage costs, but when these processes are overly burdensome, they can pose a significant hurdle for patients and impede patient-centered care.

Step therapy practices currently used by insurers require people with arthritis to try lower-cost medications before permitting more expensive treatments, despite a physician's recommendations for treatment. As a result, patients can often only access the drug their physician feels will be most effective after they have failed on the drug required by the payer. When a person changes insurance or a drug they are currently taking is moved to a non-preferred status, the person may be put through this step therapy process again. Some step therapy protocols also impose these requirements on patients remaining on stable treatments.

The complexity and length of these processes often leads to delays in treatment; these tools should be streamlined to allow for flexibility, including timely override of requirements, appeal of denials and in circumstances where a patient is changing plans, ensure the new plan does not need to repeat previously completed step therapy processes.

A survey of more than 1,400 patients conducted in 2016 by the Arthritis Foundation revealed that over half of all patients reported having to try two or more different drugs prior to getting the one their doctor had originally ordered. Step therapy was stopped in 39 percent of cases because the drugs were ineffective, and 20 percent of the time due to worsening conditions. Incredibly, nearly a quarter of patients who switched insurance providers were required to repeat step therapy with their new carrier.

This legislation will require a carrier to establish a process for requesting an exception to a step therapy protocol if, based on the professional judgement of a prescriber, the prescription drug required to be used by a step therapy protocol:

- is contraindicated or will likely cause an adverse reaction, physical harm, or mental harm to the patient; or
- is expected to be ineffective based on the known clinical characteristics of the patient and the known characteristics of the prescription drug regimen; or
- the patient is stable on a prescription drug selected by their health care provider; or
- the patient has already tried a prescription drug in the same pharmacologic class or has the same mechanism of action as the step therapy drug and was discontinued by the prescriber due to lack of efficacy or effectiveness, diminished effect, or an adverse event.

For chronic patients living with arthritis, it can take months or even years to find the treatment that works best. Interruptions to ongoing treatment can result in negative health consequences and unnecessary delays and patients may miss work or become permanently disabled as a result. SB 515 reforms the step therapy process in Maryland to ensure patients living with arthritis can access the treatment that works best for their long-term care without having to navigate an overly burdensome process for drug approval.

The Arthritis Foundation thanks the committee for their consideration of SB 515 and urges all members to support this critical legislation.



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