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To: Joseline A. Pena-Melnyk, Chair  
House Health and Government Operations Committee

From: Heather Forsyth, Deputy Director, Health Education and Advocacy Unit

RE: HB 1423 – Maryland Medical Assistance Program and Health Insurance – Step Therapy, Fail-First Protocols, and Prior Authorization – Prescription Drugs to Treat Serious Mental Illness (**Support**)

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The Health Education and Advocacy Unit writes in support of HB 1423 which protects consumers with mental health disorders from review protocols which prevent or delay appropriately prescribed medication.

HB 1423 would prohibit Medicaid and Maryland-regulated plans from applying fail-first or step-therapy protocols for prescription drugs used to treat mental health disorders itemized in the bill (bipolar, schizophrenia, major depression, PTSD, or a medication-induced movement disorder associated with the treatment of a serious mental illness).

Step therapy protocols pose dangers for patients generally, but are especially harmful for patients undergoing treatment for mental health disorders because of the individualized nature of mental health illness and patient response to treatment. Because many mental health illnesses are chronic, lifelong conditions and have a broad array of symptoms even among patients with the same diagnosis, step-therapy protocols limit the ability of the health care provider to provide the right medication, at the right dose, at the right time. Even a short interruption of medication which has stabilized a patient can have life-altering consequences.

Insurers will often justify the use of such protocols as cost savings measures, but denying appropriate and timely medication just shifts costs downstream and raises the overall costs of care, as well as risking patient safety and stability. These risks are magnified because currently less than 20% of the need for Mental Health Professionals is met in Maryland. Removing the burden of step therapy protocols gives mental health professionals urgently needed additional time for patient care.

For these reasons we urge the Committee to issue a favorable report for HB 1423.