



To: House Health and Government Operations Committee

Bill: House Bill 970 – Health Insurance - Insulin - Prohibition on Step Therapy or Fail-First Protocols

Date: February 27, 2025

Position: Favorable

The Maryland Academy of Physician Assistants (MdAPA) strongly supports *House Bill 970 – Health Insurance - Insulin - Prohibition on Step Therapy or Fail-First Protocols*. The bill prohibits private and public insurers from requiring step therapy or a fail-first protocol for insulin or a drug that is used to treat type 1, type 2, or gestational diabetes.

Fail-first protocols and step therapy both refer to insurance practices which require patients to fail on the insurer’s preferred drug, or drugs, before a patient can take the drug originally prescribed. By limiting the medication options, both doctors and patients are forced to compromise their treatment decisions in a way that is dangerous and time consuming. A national poll from the PAN Foundation found that most adults (55 percent) who have been required to ‘fail first’ say the policy delayed their access to the medication their healthcare provider originally prescribed by up to 11 weeks.ⁱ These types of delays can increase a person’s risk of health complications such as cardiovascular disease, atherosclerosis, stroke, peripheral artery disease, and chronic kidney disease.ⁱⁱ This practice can result in serious negative consequences for consumers and the public health system.

We ask for a favorable report. If we can provide any further information, please contact Robyn Elliott at relliott@policypartners.net.

ⁱ <https://www.panfoundation.org/national-polling-fail-first-policies-harm-patients-by-delaying-access-to-medications/>

ⁱⁱ <https://www.heart.org/en/health-topics/diabetes/diabetes-complications-and-risks>