



NEW YORK STATE SENATOR

Catharine Young

Legislation Ensuring Better Access To Critical Medications Passed By The Senate

CATHARINE YOUNG June 15, 2016

| ISSUE: **HEALTH CARE, HEALTH INSURANCE**

ALBANY – Calling it a victory to secure better health outcomes for patients, Senator Catharine Young (R,C,I- 57th District) announced today her step therapy bill has passed the Senate.

Health insurance plans are increasingly making use of step therapy, or fail first protocols, under which patients are required to try one or more prescription drugs before coverage is provided for the medication selected by the patient's health care provider.

To ensure that patients receive the treatment prescribed to them by their health care professional in a timely fashion, Senator Young authored and passed [Senate Bill 3419-C](#), which would establish protocols for the insurance industry's policies and provide for an expedited appeals process for patients and their health care professionals to override fail first protocols.

When insurance companies say no to a treatment plan prescribed by a patient's doctor, they often require patients to try and then fail to respond to treatment on alternative medications that come with serious side effect warnings, including certain types of cancers.

“It is heartbreaking when an individual comes to you and shares the pain they’ve suffered while waiting to get the treatment they’ve been prescribed. While it is important to work to keep health care cost down, forcing someone to delay receiving a prescribed treatment until their condition proves to be unresponsive to a lower-cost drug can have serious long-term consequences. Good health care policy means getting people the care they need. It is inexcusable that these individuals, many who have been gravely ill for many years, continue to be powerless to get the treatment that has been specifically designed for them by their health care professional,” said Senator Young.

“Too often, patients facing barriers to their treatment decide to go without the necessary health care coverage. Passing this legislation will make certain that doctors remain in control of their patients’ care and encourage patients to pursue their treatment. Providers and patients will now be well positioned to get the best outcomes and that is a win for everybody in New York State,” Senator Young said.

The Senator said the enacted legislation is beneficial for patients, providers and insurance companies because it doesn’t do away with fail first policies, but instead strikes a balance between the need to control costs and the need for potentially life-saving care.

Other states have already established protocols to override fail first determinations, and patient care groups have applauded Senator Young’s bill as a win for safe, effective and quality care. More than 60 advocacy organizations, including Roswell Park Cancer Institute, recently joined Senator Young to rally in support of the legislation at the Capitol.

More than a dozen states have considered or passed legislation to set similar standards for the use of step therapy. At least four states are considering measures on the issue during their current legislative sessions.

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2015-S3419C

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- - In Committee Assembly
 - In Committee Senate
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