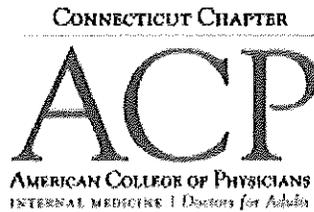


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**Connecticut State Medical Society Testimony in Support of Senate Bill 857 An Act
Concerning the Use of Step Therapy For And Off Label Prescribing of Prescription Drugs.
Insurance and Real Estate Committee
February 18, 2014**

Senator Crisco, Representative Megna and members of the Insurance and Real Estate Committee, on behalf of the physicians and physician-in-training members of Connecticut State Medical Society (CSMS) and the Connecticut Chapters of the American College of Physicians (ACP) and the American College of Surgeons (ACS) thank you for the opportunity to present this testimony to you today on **Senate Bill 7 AAC The Use of Step Therapy For and Off Label Prescribing of Prescription Drugs.**

SB 7 attempts to address issues of significance to physicians and their patients in Connecticut that were also contained in unsuccessful legislation proposed during the 2013 legislative session. First, the bill attempts to limit the use of "Step Therapy." Step Therapy is a situation in which health insurers and other payors attempt to unilaterally dictate the use of medically necessary medications prescribed by a physicians without real knowledge of the patient or the patient's medical condition or treatment, this often includes the requirement to first use over the counter medications in a situation where the physician clearly understands the patient's needs and knows the prescribed medication necessary to improve the health of the patient. Unfortunately, step therapies are dictated solely by cost without consideration of the clinical judgment of the physician who knows the patient best. Second, the bill attempts to prevent insurers from placing physicians at risk by requiring the use of medication in a situation considered "off label." Off label is the use of a medication for purposes not presently approved by the Food and Drug Administration (FDA). While in many situations, clinical experience has determined that several medications can be used successfully off label, the determination must be made by the physician or physicians providing the medical care because they know the patient and not an insurer with little knowledge about the patient beyond a claim form or premium information.

The bill before you today is a step in the right direction in safeguarding patients in ensuring that decisions to prescribe and utilize prescribed medications are based first and foremost on the clinical judgment of physicians providing the medical care and on not driven by cost factors determined by insurers or others. Also, it protects physicians from assuming unnecessary liability by insurers requiring unapproved uses of medications.

We have consistently testified before this and other committees regarding the issue of medical necessity which is paramount to the issue of physician prescribing and step therapy. It is our policy that any service, and in this situation it is about medication, deemed medically necessary by a physician should be covered under insurance policies for the care and treatment of patients. Insurers insure patients against the expense of the high cost of unforeseen medical expenses while physicians provide medically necessary care for the prevention, maintenance and care of their patients. Step therapy only serves as a barrier to the determination of medical necessity by a physician in consultation with the patient

Again we offer that SB 7 is a positive step. We welcome the opportunity to work with the committee to strengthen language to ensure that physician clinical judgment is not infringed upon by health insurers and that medically necessary medications are covered when prescribed by physicians.

Thank you again for the opportunity to provide this testimony to you today.