

Insurance and Real Estate Committee

JOINT FAVORABLE REPORT

Bill No.: SB-6

AN ACT CONCERNING UTILIZATION REVIEW AND HEALTH CARE CONTRACTS, HEALTH INSURANCE COVERAGE FOR NEWBORNS AND

Title: STEP THERAPY.

Vote Date: 3/14/2023

Vote Action: Joint Favorable

PH Date: 3/9/2023

File No.:

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Sen. Derek Slap, 5th Dist.

Rep. Anthony L. Nolan, 39th Dist.

Rep. Keith Denning, 42nd Dist.

REASONS FOR BILL:

This bill addresses various health insurance issues including prior authorization, step therapy, and coverage for newborns. Regarding prior authorization, it was testified that the process is currently causing delays in patient care and that the process needs to be modernized and streamlined in order to meet the needs of patients in a timely manner. For step therapy, this bill institutes a "one-and-done" provision for step therapy where a patient will be required to try a lower level of treatment and escalate it once before that requirement can be overridden by a physician. This will work to avoid patients receiving a treatment that a physician disagrees with for any treatment to be covered. For newborn insurance coverage, this bill would ensure that newborns who have medical concerns are immediately covered by their parent's insurance and that in the event they require hospital care for more than 60 days after

birth that their stay is entirely covered. This would avoid a situation where parents who are already emotionally taxed do not need to worry about missing certain deadlines to have their newborn covered under their insurance.

RESPONSE FROM ADMINISTRATION/AGENCY:

Office of the Healthcare Advocate, Ted Doolittle: supports this bill and states that it would accomplish multiple goals, specifically establishing a “gold card” program, require insurers to implement speedier and more efficient review processes, extend the time period for parents to enroll a newborn onto a health plan, and prohibit step therapy protocols for certain behavioral and chronic conditions. It would also require insurers to follow standardized clinical criteria established by the Insurance Commissioner when conducting utilization review activities.

Office of Health Strategy, Executive Director, Deidre Gifford: supports this bill and states that it would help Connecticut residents have access to timely health care, especially those with mental health or chronic conditions.

NATURE AND SOURCES OF SUPPORT:

Bristol Health Inc., President and CEO, Kurt Barwis FACHE: states support for the “prior authorization” aspects of this bill and outlines how these practices are negatively impacting timely access to care and that these practices often utilize internal-unpublished non-generally accepted clinical criteria. The testimony further states examples of how prior authorization negatively impacted patients at Bristol Hospital.

CT ENT Society, Legislative Chair, Mahesh Bhaya MD: states that this bill addresses issues with prior authorization and step therapy which create time delays and adversely affect patients in his experience.

Connecticut Children’s, Government Relations Manager, Emily Boushee: states support for the provisions of this bill that would automatically cover newborns under their parents’ insurance and states that while this policy is required, private insurers do not often honor it. It is further stated that this bill requires coverage for a newborn for the entirety of a hospital stay should it be necessary which would alleviate the burden from parents.

Connecticut Orthopaedic Society, Vice President, Dante Brittis: states that this bill is a critical step forward in address prior authorization insurance policies and procedures that often prevent physicians from performing the most clinically accurate and timely care. It is further stated that this bill would benefit their patients and a personal experience regarding prior authorization is stated.

National Alliance of Mental Illness, Public Policy and Affiliates Relation Manager, Thomas Burr: states that this bill would prohibit health carriers from requiring the use of step therapy for drugs prescribed to treat behavioral health conditions or chronic, disabling, or life-threatening conditions or diseases. It is further stated that step therapy in these cases is a cost saving tactic that delays proper medication for patients and that this bill would go a long way to address that.

CT Psychiatric Society, Executive Director, Jacqueline Coleman: states that this bill would solve issues with prior authorization and gives examples as to how prior authorization can negatively impact a patient's ability to get timely care. It is further stated that step therapy for psychiatric treatment requires patients to "fail" a certain level of care before that's escalated and that this bill would work to address that delay.

Central Connecticut Behavioral Health, Richard Comshaw PhD APRN: states that require step therapy limits clinicians from choosing the most appropriate treatment for the patient they are treating and that this bill would work to address that issue.

Jaime Dempsey, Norwalk CT, Resident: states that this bill would take steps to address the issues of prior authorization and recounts a personal experience where prior authorization delayed his care by 10 months.

The Arc CT, Executive Director, Win Evarts: states that step therapy operates as "fail first" therapy and that it delays access to proper treatment. The testimony goes on to state personal experience and outlines how care can be delayed by following step therapy and that this bill would work to fix these issues.

Connecticut College of Emergency Physicians, Legislative Chair and Past President, Daniel Freess MD: states concern with the prior authorization process and outlines how it leads to patients waiting for care. It is further stated that this bill would help to streamline care and would avoid patients going through the physical and mental toll of having care delayed.

Connecticut General Assembly, State Senator, Jeff Gordon: states that this bill would address the issues with prior authorization that prevent patients from receiving timely medical care. Sen. Gordon further cites survey results that outline the extent to which prior authorization delays care and notes that, as a doctor, he agrees with the results of the survey. It is further stated that while this would not help everyone in Connecticut, only the fully insured marketplace, it would be a step in the right direction and would still cover a lot of people.

Connecticut Hospital Association, Government Relations Team: states support for the provisions of this bill that address prior authorization and states that it will improve patient care and the well-being of the health care workers who care for patients while reducing administrative costs and burdens.

Connecticut Association of Ambulatory Surgery Centers, President, Amanda Gunthel: states that this bill would address multiple issues surrounding the current prior authorization process, specifically by "establishing a utilization review exemption standard for certain participating providers, requiring each health carrier to process utilization review requests more efficiently, and requiring each health carrier develop an electronic prior authorization process."

National Multiple Sclerosis Society, Senior Manager of Advocacy, Laura Hoch: states support for sections 2,3, 6, 7, and 8 and states that reforming various aspects of utilization review will improve the health and wellbeing of Connecticut's many residents living with a chronic illness.

American Medical Association, CEO and Executive VP, James Madara: states that this bill would address concerns with the prior authorization process which delays care. It is further stated that this bill would reduce the volume of prior authorization cases through the proposed exemption process. In addition, this bill would decrease the volume and harm of the step therapy process and would ensure greater efficiency and transparency of the utilization management process. Several additions and changes are suggested as well.

Connecticut State Medical Society: state that prior authorization and step therapy delay patient access to needed care and cause needless suffering and delay. It is further stated that this bill would help physicians deliver timely and appropriate care to patients.

Connecticut General Assembly, President Pro Tempore Sen. Martin Looney and Senate Majority Leader Sen. Bob Duff et. al.: state that prior authorization in its current form may save insurance companies money but that these companies do not properly balance the needs of patients with avoiding costs. To address this, it is stated that this bill establishes a gold card program, creates shorter timelines, adds the “one-and-done” provision to step therapy treatments, and requires that insurers process prior authorization requests are processed 24/7. It is further stated that this bill would require the enrollment of newborns on their parent’s health insurance and would protect families from missing important deadlines after a baby is born in regard to enrolling newborns in coverage.

CT Chapter of American College of Physicians, Co-Chair Health and Public Policy, Anthony Yoder DO, MPH, FACP: states concern with the current state of prior authorization and urges support of this bill in order to address those concerns. Personal experiences with prior authorization cases are stated and sections 2 and 3 of this bill are highlighted with how each provision could work to avoid the issues stated.

NATURE AND SOURCES OF OPPOSITION:

Pharmaceutical Care Management Association, Director of State Affairs, Sam Hallemeier: states that this bill would remove PBM tools such as prior authorization and step therapy which are used to ensure that prescriptions are safe and appropriate. It is further stated that this bill would undermine a health plan’s formulary and that it would cause insurance premiums to rise.

CT Association of Health Plans, Executive Director, Susan Halpin: states that this bill would have the unintended consequence of driving up health insurance premiums and would compromise affordability and accessibility of critically important coverage. It is further stated that step therapy is important to ensure that prescriptions are safely prescribed.

Reported by: Justin Kaiser

Date: 3/23/2023