
OLR Bill Analysis

sSB 182

AN ACT PROHIBITING CERTAIN HEALTH CARRIERS FROM REQUIRING STEP THERAPY FOR PRESCRIPTION DRUGS USED TO TREAT A MENTAL OR BEHAVIORAL HEALTH CONDITION OR A CHRONIC, DISABLING OR LIFE-THREATENING CONDITION.

SUMMARY

Step therapy is a prescription drug protocol that generally requires patients to try less expensive drugs before higher-cost drugs. This bill prohibits individual and group health insurance policies or contracts from requiring the use of step therapy for drugs used to treat a mental or behavioral health condition or a chronic, disabling, or life-threatening condition or disease, as long as the drug complies with approved Food and Drug Administration indications. Existing law already prohibits health carriers (e.g., insurers and HMOs) from requiring the use of step therapy for (1) stage IV metastatic cancer (indefinitely) or (2) schizophrenia, major depressive disorder, or bipolar disorder (until January 1, 2027).

For drugs prescribed for other conditions, the bill reduces how long a carrier can require an insured to use step therapy from 30 to 20 days.

Under the bill, as under existing law, a patient's provider can deem step therapy as clinically ineffective for the patient (immediately for the prohibited conditions or at the end of the waiting period for other conditions), at which point the carrier must cover the drugs prescribed by the provider, as long as they are covered under the insurance policy or contract. If the provider does not consider the step therapy regimen to be ineffective or does not request an override as the law allows, the regimen may be continued.

The bill applies to individual and group health insurance policies or contracts that provide coverage for prescription drugs and are

delivered, issued, renewed, amended, or continued by an insurer, hospital or medical service corporation, health care center (i.e., HMO), or other entity.

EFFECTIVE DATE: January 1, 2025

COMMITTEE ACTION

Public Health Committee

Joint Favorable Substitute

Yea 30 Nay 7 (03/04/2024)