

Kentuckians for Step Therapy Reform

Support SB 140 by Senator Max Wise to Help Patients Access the Right Medicine at the Right Time.

What is Step Therapy?

Step therapy, also known as “Fail First,” is a practice that requires patients to try – and fail – one or more medications chosen by their health insurer or pharmacy benefit manager (PBM) before they can access the treatment prescribed by their healthcare provider.

Step therapy protocols limit a healthcare provider’s ability to tailor care to individual patient needs and could interfere with the patient-provider relationship. Step therapy protocols vary widely among different health plans in the number of “steps” a patient must cycle through or the duration a patient must be on the health insurer’s preferred medication.

It can sometimes take patients and their healthcare providers weeks or months to navigate a health plan’s exceptions and appeals procedures.

For patients living with serious or chronic illnesses, delaying access to the right treatment – and prolonging an ineffective treatment – may result in worse health outcomes, including increased disease activity, loss of function and possible irreversible progression of their condition.

It’s Time to Update Kentucky’s Step Therapy Law

Kentucky was a pioneer in patient protections when it enacted step therapy reforms a decade ago; now, more than half of U.S. states have strong laws in place. In the wake of evolving clinical practices and insurance policies, it’s time to update existing statutes. **SB 140 by Senator Max Wise** updates and clarifies existing Kentucky’s step therapy law to:

- ✓ Ensure step therapy protocols are based on widely-accepted medical and clinical guidelines.
- ✓ Update the clinically-justified circumstances for a patient and health care provider to override a step therapy protocol when the medicine required under that step therapy protocol:
 - is likely to cause an adverse reaction or physical or mental harm to the patient;
 - has been tried and failed, or another drug in the same pharmacologic class or with the same mechanism of action has been ineffective, had a diminished effect, or caused an adverse reaction for the patient;
 - is not in the best interest of the patient, based on medical necessity; or
 - is different from the medication the patient is currently using successfully to treat their condition.

These common-sense updates will ensure the law continues to serve the best interests of Kentuckians, as intended.



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Partner Organizations

1. Aimed Alliance
2. Allergy & Asthma Network
3. Alliance for Patient Access
4. American Academy of Dermatology | Association
5. American Cancer Society Cancer Action Network
6. American Diabetes Association
7. Arthritis Foundation
8. Association for Clinical Oncology
9. Association of Women in Rheumatology
10. Autoimmune Association
11. Cancer Support Community
12. Cancer Support Community of Greater Cincinnati-Northern Kentucky
13. Crohn's & Colitis Foundation
14. Coalition of State Rheumatology Organizations
15. Creaky Joints/Global Healthy Living Foundation
16. Epilepsy Foundation of Kentuckiana
17. Exon 20 Group
18. Infusion Access Foundation
19. International Cancer Advocacy Network
20. International Pain Foundation
21. Kentucky Hemophilia Foundation
22. Kentucky Life Sciences Council
23. Kentucky Medical Association
24. Lupus and Allied Diseases Association, Inc.
25. Lupus Foundation of America
26. Mental Health America
27. Multiple Sclerosis Association of America
28. National Eczema Association
29. National Hemophilia Foundation
30. National Infusion Center Association
31. National Multiple Sclerosis Society
32. National Organization for Rare Disorders
33. National Psoriasis Foundation
34. Patient Services Incorporated
35. Rheumatology Nurses Society
36. Susan G. Komen
37. The Mended Hearts, Inc.
38. Tri-State Bleeding Disorder Foundation
39. Twisted Pink

