



March 1, 2022

Via Electronic Communication

Representative Bart Rowland
Chair, House Standing Committee
Banking & Insurance
700 Capital Ave
Frankfort, KY 40601

Representative Derek Lewis
Vice-Chair, House Standing Committee
Banking & Insurance
700 Capital Ave
Frankfort, KY 40601

Re: Statement in Support of SB 140

Dear Representatives Rowland and Lewis:

Aimed Alliance is a 501(c)(3) not-for-profit health policy organization that seeks to protect and enhance the rights of health care consumers and providers. We applaud Kentucky's leadership in step-therapy reform and encourage the House to swiftly pass SB 140, which will strengthen the current Kentucky step-therapy law by providing much needed protections for patients.

Step-therapy, also known as fail-first, requires patients to try and fail on medications before their health plan will cover the medication their doctor originally prescribed.¹ For patients, step-therapy can be extremely harmful and result in patients experiencing continued symptoms without relief.² In 2019, Kentucky passed its first step-therapy law which created guidelines for step-therapy protocols.³ For example, the current law limits the time a patient is required to try and fail on a medication to 30 days. This protection is important to ensure that patients are not required to fail on a medication for an unnecessarily long period before they can access the medication that their provider originally prescribed.

Despite the historic protections the 2019 law provided patients, there are gaps in the law that must be addressed. SB 140 is poised to do just that. SB 140 will ensure that step-therapy protocols are based on medical and clinical guidelines; prohibit patients from trying and failing on medications they have previously failed on; and ensure that a patient can be exempt from the step therapy policy when, based on medical necessity, it is not in the best interest of the patient.

Aimed Alliance supports SB 140 and encourages the House Standing Committee Banking and Insurance to swiftly pass SB 140 and ensure patients are protected from unduly burdensome and harmful step-therapy policies.

Sincerely,
Ashira Vantrees
Staff Attorney

¹ Crohns & Colitis Foundation, *What is step therapy/fail first?*, <https://www.crohnscolitisfoundation.org/get-involved/be-an-advocate/steptherapy>.

² Aimed Alliance, *Step Therapy*, <https://aimedalliance.org/step-therapy/>.

³ Kentucky Step Therapy Law, <https://law.justia.com/codes/kentucky/2019/chapter-304/subtitle-304-17a/section-304-17a-163/>.