



**MEMORANDUM IN SUPPORT**  
**S.1267 (Breslin) / A.901 (McDonald)**  
**S.2677 (Breslin) / A.463 (McDonald)**  
**S.2800 (Breslin) / A.1384 (McDonald)**

The New York State Bleeding Disorders Coalition strongly supports these three bills to create guardrails for the use of step therapy and protect patients in New York State.

Step therapy is a utilization management practice in which health plans or Pharmacy Benefit Managers mandate patients try less expensive medication options before "stepping up" to more expensive medications if necessary. Step therapy is also known as **"fail first"** because patients must fail on the mandated medication before the patient can receive the doctor-prescribed medication. Step therapy is concerning to people with complex, chronic medical conditions because it can alter or delay their access to doctor prescribed treatments, leading to a worsening of symptoms and serious complications.

People with bleeding disorders have unique treatment needs that often require close monitoring and strict treatment regimens. For these patients, failing on a medication could lead to spontaneous and uncontrolled bleeding into joints, muscles, or other organs, potentially causing permanent damage, chronic pain, or even life-threatening emergencies.

A 2021 Tufts University study of the 17 largest commercial payers found 38.9% of policies had step therapy, 55.6% of step therapy rules were more strict than clinical guidelines, and 33.4% of the time patients were required to step up through more than one medication. Step therapy was found in 77.3% of health insurance policies for people with complex, chronic diseases like multiple sclerosis and Hepatitis C.

**These three bills protect patients and balance cost concerns with medical principles, while still allowing health plans and PBMs to apply step therapy (*see the back of this letter for more details*):**

- **S.1267/A.901 - Limits when and how step therapy can be used, creating reasonable guardrails.**
- **S.2677/A.463 - Requires patients be notified of adverse step determinations and how to appeal, helping them understand their options if they receive a denial.**
- **S.2800/A.1384 - Requires payers to report details of step therapy use to the Dept. of Financial Services, providing data on the use and impact of step therapy.**

We recognize the value of thoughtful practices which help to manage care costs in order to promote better health access and health outcomes for patients. By creating guardrails for step therapy, these three bills help to ensure the quality and safety of patient care in New York State.

Thank you,  
Bob Graham  
NYSBDC Public Policy Director  
bobgraham04@msn.com

***The New York State Bleeding Disorders Coalition is a statewide coalition of patient organizations and treatment providers serving the New York state bleeding disorders community.***