



**Alliance for  
Patient Access**

April 9, 2024

The Honorable Virginia Lyons  
Senate Committee on Health and Welfare  
Chair  
115 State Street  
Montpelier, VT 05633

The Honorable David Weeks  
Senate Committee on Health and Welfare  
Vice Chair  
115 State Street  
Montpelier, VT 05633

**Re: Support for H766 – Improving Step Therapy Protocols**

Members of the Vermont Senate Committee on Health and Welfare:

On behalf of the Alliance for Patient Access (AfPA), we are writing in support of H766. This legislation will protect the clinician-patient relationship by providing clear guidelines on the use of step therapy, one of the most common health insurer utilization management tools.

Founded in 2006, AfPA is a national network of policy-minded health care providers who advocate for patient-centered care. AfPA supports health policies that reinforce clinical decision making, promote personalized care and protect the clinician-patient relationship. Motivated by these principles, AfPA members participate in clinician working groups, advocacy initiatives, stakeholder coalitions and the creation of educational materials.

Step therapy is a utilization management tool used by insurers to dictate a specific course of care, often to contain health care costs. Sometimes referred to as “fail first,” step therapy protocols require patients to try and fail on one or more medications that are typically lower cost, before the patient can access the medication prescribed by their health care provider. This leads to delays in accessing treatment and can prevent patients from getting the medications prescribed to them. This ultimately leads to even more negative health outcomes and increased burden on both patients and clinicians. You can learn more about step therapy best practices that respect the clinician-patient relationship in AfPA’s step therapy [position paper](#).

H766 would improve patient access through the establishment of a clear and accessible process ensuring patients and providers can understand how to secure an exemption from the formulary step requirements. Further, the legislation would require exception requests (to override the step protocol) to be granted in a timely manner when the formulary-preferred medicine: (1) is contraindicated, (2) is expected to be ineffectual based on a specific patient, (3) is not in the best interest of the patient based on medical necessity, (4) has already been tried and found ineffective, or (5) when the patient is stable on another medicine.

Importantly, step therapy requirements would need to be based on clinical review criteria and practice guidelines developed by a multi-disciplinary panel of experts. Step therapy rooted in clinical guidelines would still be permitted - the bill does not prevent insurance companies from using step therapy, nor does it limit the number of steps required by the insurer. However, by requiring

clinically based requirements and a clear, timely exception process, this legislation would reduce the burden on patients and providers and support a patient-centered system of care.

On behalf of Vermont patients and the Alliance for Patient Access, we urge your support for H766 throughout the legislative process to ensure patients can access the treatments they need.

Sincerely,

A handwritten signature in cursive script that reads "Josie Cooper".

Josie Cooper  
Executive Director  
Alliance for Patient Access

**Cc:**

**Sen. Ruth Hardy**

**Sen. Martine Larocque Gulick**

**Sen. Terry Williams**