



The Employer Alliance for Affordable Health Care

PO Box 1412 • Albany, NY 12201-1412

www.employeralliance.com

## **MEMORANDUM IN OPPOSITION**

### **Bill Number: A. 2834 (Titone)/ S.3419 (Young)**

Regulates step therapy policies; requires clinical review criteria used to establish step therapy protocols be based on clinical practice guidelines endorsed by independent experts, based on high quality studies, and be created by a transparent process; requires that patients and health care providers have access to a clear and convenient process to request a step therapy exception determination.

*The Employer Alliance for Affordable Health Care is the largest, single-issue grassroots coalition in New York State. Our members including more than 3,100 small business owners and sole proprietors representing more than 200,000 working New Yorkers. Our members believe that everyone should have access to basic, affordable health insurance. We oppose state mandate legislation that drives up costs.*

### **WE OPPOSE THIS MANDATE FOR THE FOLLOWING REASONS:**

- The current step therapy protocols are based on scientific standards. These standards are well-established and, by the Legislature's own admission are working.
- This proposal is an unnecessary and duplicative mandate. Current regulations give physicians the ability to request alternatives as they see fit. Doctors can notate "DAW" on a prescription and it will be filled according to their orders.
- Regulating step therapy policy in this manner will drive costs even higher by allowing consumers to bypass effective, generic alternatives, which are effective in keeping costs down, for more expensive drugs, while opening the door for over utilization of expensive alternatives. The end result is not just higher premiums, but also higher out-of-pockets costs because co-payments and co-insurance for brand name drugs are significantly higher than those for generics.
- At a time when small businesses are still struggling under the weight of health insurance costs, lawmakers have a responsibility to put good judgement over emotion and work to keep health insurance premiums affordable.

**For these reasons, the Employer Alliance asks you to  
OPPOSE A. 2834 (Titone)/ S.3419 (Young)**