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## Insurers hurting patients

By Scott B. Snapper, Commentary Published 5:12 pm, Monday, August 29, 2016

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A cancer patient denied access to a medication used to combat fatigue caused by her cancer treatment. A shingles patient who was forced to try a glaucoma medication with ingredients she was allergic to. An ulcerative colitis patient who was denied access to an immunosuppressant which ultimately resulted in the surgical removal of her colon. These are just a few of the stories of patients with chronic illnesses who have dealt with the consequences of being subjected to step therapy.

Simply put, step therapy is the practice of beginning drug therapy for a disease with the least costly medications; progressing to more expensive and complex ones only if the others do not work. As of 2010, 60 percent of commercial insurers in the United States were using step therapy. The purpose of this process is to control costs and minimize risks; however, by doing this, insurance companies can interrupt decisions about medical care regardless of doctors' directions or what is therapeutically best for each individual patient.

Step therapy can be extremely harmful to patients with complex and chronic diseases by delaying access to therapeutic drugs. In the case of **Eitan Kling-Levine**, an ulcerative colitis patient, his insurance required he try and fail with two medications before being approved for coverage of a biologic therapy. Over the course of six months, Eitan tried these medications but saw no improvement in his condition. By the time he was granted coverage for the original medication, his disease had progressed to a severe state. His colon had been permanently damaged by the ongoing, unmanaged inflammation and ulceration. This delay in treatment ultimately contributed to his having a proctocolectomy with an ileal pouch-anal anastomosis— the surgical removal of the colon and rectum and creation of an internal reservoir for waste.

Step therapy has been practiced for years in states around the country. Over my 26 years practicing medicine, I have seen step therapy directly affect my patients numerous times, causing physical and emotional strife. My patients should be focused on their health, not expending their energy fighting for coverage for a therapeutically necessary medication.

The Crohn's & **Colitis Foundation of America** penned a letter to Gov. **Andrew Cuomo**, urging him to take swift action to reform the practice of step therapy in New York. In June, the Assembly and Senate passed legislation to amend state law in relation to the regulation of step therapy and fail-first health insurance policies and protocols. The legislation would require that 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. Additionally, it would require that patients and health care providers have access to a clear and expedient process to request a step therapy exception determination.

Connecticut, Kentucky, Illinois, Louisiana, Maryland, Mississippi and Washington have enacted similar state policies that increase oversight of step therapy and ensure transparency in the exceptions appeal process. Ten other states considered step therapy legislation during the past year.

Now is the time for Cuomo to sign this critical legislation into law. More than 104,000 Crohn's disease and ulcerative colitis patients in New York depend on his action. Not enacting this legislation would allow step therapy to continue, undermining the ability of physicians like myself to effectively treat patients, lower the quality of care, and lead to setbacks and disease progression for patients.

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