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NEBRASKA LAWMAKERS INTRODUCE LEGISLATION TO IMPROVE PATIENT ACCESS TO CRITICAL PRESCRIPTION MEDICATIONS

LB337 will reform the insurance industry practice of ‘step therapy’ to give patients and doctors the power to determine the best treatment plan

(LINCOLN Neb.)– More than 40 patient and healthcare provider groups from across Nebraska today praised Senator Mark Kolterman (District-24) for introducing [LB337](#) aimed at improving patient access to the medications their doctors prescribe by providing commonsense guardrails to an insurance industry process known as ‘step therapy’.

Thanks to the efforts of Senator Kolterman, LB 337 is a true piece of compromise legislation. Prior to the start of the legislative session the senator has worked closely with key stakeholders—including members of the insurance industry, patient advocates and healthcare provider groups to find common ground to help ensure patients get their prescribed medication in a timely manner.

“Step therapy” or “fail first” requires patients to try and fail on one or more treatments other than the medication their provider ordered before covering the originally prescribed treatment. Delays in getting the proper care can lead to negative health outcomes and worsening of conditions in some patients.

“Step therapy can be detrimental for patients facing chronic, progressive, and complex conditions, such as psoriasis and psoriatic arthritis, as it can lead to a patient’s inability to access appropriate treatments,” said Kristen Stiffler, state government relations manager, National Psoriasis Foundation and leader of the Nebraskans for Step Therapy Reform Coalition. “Thanks to the leadership of Senator Kolterman, Nebraska patients will be able to access the medications their medical teams deem most appropriate, without delays in care and risk of worsening outcomes.”

“As a patient, I know first-hand the impact step therapy can have on your health—both mental and physical,” said Ellen Reilly, Hastings, NE. “When I was diagnosed with psoriasis, my doctor prescribed a biologic medication for me, but my insurance company demanded I try another medication that left me feeling depressed and suicidal within days of starting the medication. Even with these horrible side effects it took my insurance company nearly two months to approve the biologic my doctor originally prescribed. I urge Nebraska lawmakers to pass step therapy reform and support the doctor patient relationship.”

LB 337 will ensure that patients and their doctors have access to a clear and timely process to request an exception to a step therapy protocol in order to best treat their conditions. The legislation does not ban the use of step therapy by the insurance industry but puts common sense guardrails in place to protect patient health.

“Doctors work closely with their patients to develop the most effective treatment plans for their individual patients,” said Dr. David Watts, a dermatologist from Omaha and President-elect of the Nebraska Medical Association. “Delays in accessing the treatment a doctor prescribes can lead to disease progression. I’ve seen patients who I know would react favorably to a particular medication decline due to inappropriate use of step therapy. LB 337 will give patients and doctors better ability to request a step therapy exception when it is applied.”

When passed into law, LB337 will give patients and providers a transparent, accessible exceptions request process and will require insurers to respond to requests within 72 hours for emergencies and 5 calendar days for non-emergencies. In addition, patients can be exempt from step therapy protocols if it’s been demonstrated that the insurer preferred drug may cause harm, is likely to be ineffective, the patient has already failed on the insurer preferred treatment or the patient is already stable on a medication.

LB 337 will be referred to the Banking, Commerce and Insurance Committee.

LB337 is supported by the following organizations:

AIM at Melanoma, Allergy & Asthma Network, Alliance for Patient Access, American Autoimmune and Related Disease Association, American Cancer Society Cancer Action Network, American College of Cardiology-Nebraska Chapter, American College of Rheumatology, American Diabetes Association, Arthritis Foundation, Association for Clinical Oncology, Association of Women in Rheumatology, Bio Nebraska, Brain Injury – Nebraska, Cancer Support Community, Coalition of State Rheumatology Organizations, Crohn's & Colitis, Epilepsy Foundation Nebraska/South Dakota, Global Healthy Living Foundation/Creaky Joints, International Cancer Advocacy Network, International Foundation for Autoimmune & Autoinflammatory Arthritis, International Pain Foundation, Lupus and Allied Diseases Association, Lupus Foundation of America, Mended Hearts, Mental Health America, Multiple Sclerosis Association of America, NAMI National, NAMI Nebraska, National Eczema Association, National Hemophilia Foundation, National Infusion Center Association, National Multiple Sclerosis Society, National Organization for Rare Disorders, National Psoriasis Foundation, Nebraska Cancer Coalition, Nebraska Chapter - National Hemophilia Foundation, Nebraska Dermatology Society, Nebraska Nurse Practitioners, Nebraska Oncology Society, Nebraska Pharmacists Association, Nebraska Rheumatology Society, Rheumatology Nurses Society, Susan G Komen Nebraska, The Arc of Nebraska, The Leukemia and Lymphoma Society

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