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Patient Advocates and Health Care Provider Groups Applaud Filing of the ‘Safe Step Act’ in U.S. Congress

S. 464 and H.R. 2163 put common sense guidelines around insurance industry practice of “step therapy”

WASHINGTON, D.C. – Today, patient and provider groups from across the country applauded the filing of legislation aimed at putting reasonable parameters around the insurance industry protocol known as “step therapy” or “fail first”. Sponsored in the House by Representatives Raul Ruiz (D-CA-36), Brad Wenstrup (R-OH-2), Lucy McBath (D-GA-6) and Mariannette Miller Meeks (R-IA-2), H.R. 2163 is a companion bill to S.464 sponsored by Senators Lisa Murkowski (R-AK), Maggie Hassan (D-NH), Bill Cassidy (R-LA) and Jacky Rosen (D-NV).

S. 464 and H.R. 2163 are also known as “The Safe Step Act” and mirrors legislation passed in more than two dozen states across the country. When passed into law the legislation will bring similar patient protections to health plans that are regulated at the federal level.

Currently, health plans can force patients to try and fail on one or more medications that they dictate before the plan will cover the cost of a health care provider prescribed treatment.

Delays in getting the proper treatment can lead to irreversible disease progression and worsening of a patient’s medical condition.

“Occasionally, step therapy protocols require patients to fail first on drugs that won’t work or will even cause worsened outcomes,” said Michael Osso, President & CEO of the Crohn’s & Colitis Foundation. “Patients shouldn’t have to become sicker to be able to get access to the medications they need, when they need it. The Safe Step Act would create a more transparent and expeditious appeals process to ensure that patients are able access the treatment they initially selected with their doctor. We encourage Congress to take swift action in passing this critical legislation on behalf of all patients with chronic illnesses.”

During the 116th Congress, similar legislation [S.2546](#) and [H.R. 2279](#) collectively had 175 co-sponsors.

“As the nation continues to deal with the unprecedented public health crisis, it’s more critical than ever that patients have access to the right medication at the right time,” said Randy Beranek, President and CEO of the National Psoriasis Foundation. “ Our bill sponsors in both parties and both chambers have committed to ensuring that health care providers and their patients are able to make treatment decisions without interference from insurance companies that can delay care and worsen conditions.”

The Safe Step Act does not ban the use of step therapy, but instead puts common sense parameters and reasonable timelines around the practice. The legislation will give doctors a transparent and standardized process to appeal step therapy requirements for patients needing a particular treatment.

“Step therapy is generally inappropriate in oncology due to the individualized nature of modern cancer treatment and the general lack of interchangeable clinical options,” said Board Chair of the Association for Clinical Oncology (ASCO) Monica M. Bertagnolli, MD, FACS, FASCO. “Medically appropriate cancer care requires timely patient access to the most appropriate drug, prescribed by the patient’s provider, and the Safe Step Act aims to help ensure such access.”

The “Safe Step Act” is supported by [85 patient and provider organizations](#).

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