S-4685.1

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**SUBSTITUTE SENATE BILL 6233**

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**State of Washington 65th Legislature 2018 Regular Session**

**By** Senate Health & Long Term Care (originally sponsored by Senators Cleveland, Rivers, Kuderer, Fain, and Conway)

AN ACT Relating to regulating the use of step therapy protocols; creating new sections; and providing an expiration date.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  The legislature finds the following:

(1) Health insurance plans are increasingly making use of step therapy protocols under which patients are required to try one or more prescription drugs before coverage is provided for a drug selected by the patient's health care provider;

(2) Such step therapy protocols, where they are based on well-developed scientific standards and administered in a flexible manner that takes into account the individual needs of patients, can play an important role in controlling health care costs; and

(3) In some cases, requiring a patient to follow a step therapy protocol may have adverse and even dangerous consequences for the patient who may either not realize a benefit from taking a prescription drug or may suffer harm from taking an inappropriate drug.

NEW SECTION. **Sec.**  (1) The Washington state institute for public policy must conduct a literature review of step therapy protocol usage including information concerning negative outcomes or adverse events resulting from step therapy protocol usage. The institute must provide recommendations to the appropriate committees of the senate and house of representatives as to whether creating exceptions based on medical necessity on the use of step therapy would improve health outcomes and reduce adverse events. The institute may analyze any criteria deemed necessary to determine the effectiveness of creating exceptions for step therapy including seeking input from interested parties. The institute will include in its report a summary of similar exceptions that have been codified in other states and the impact they have had on health outcomes. The report with policy recommendations must be submitted by December 1, 2018.

(2) This section expires June 30, 2019.

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