March 6, 2018

The Honorable Tim Walberg  The Honorable Gregorio Kilili Camacho
United States House of Representatives Sablan
2436 Rayburn House Office Building United States House of Representatives
Washington, DC 20515 2411 Rayburn House Office Building

Washington, DC 20515

RE: Support for HR 2077 (Wenstrup/Ruiz)

Dear Chairman Walberg and Ranking Member Sablan:

As advocates for the patient and health care provider communities across the nation, and the millions of individuals we collectively represent, the undersigned respectfully request your consideration of H.R. 2077, the Restoring the Patient's Voice Act of 2017, before your Subcommittee on Health, Employment, Labor, and Pensions.

Step therapy is a utilization management tool employed by health insurance plans. Sometimes called “fail first,” step therapy protocols require patients to try and fail a lower cost medication before he or she can access the medication as prescribed by their health care provider.

Last April, your House Colleagues, Dr. Brad Wenstrup (R-OH-6) and Dr. Raul Ruiz (D-CA-36) introduced H.R. 2077 to provide patient protections against step therapy protocols imposed by private sector health plans (that comply with the Employee Retirement Income Security Act of 1974 (ERISA)). This federal legislation follows the successful deliberation of lawmakers in at least a dozen states that have enacted – and more that have considered – similar protections for both public and private health care plans. To date, H.R. 2077 has garnered bipartisan support from 38 Members.

The step therapy process and denials employed by many health plans can be a detriment to patients’ health, at times delaying access to proper treatment and potentially leading to irreversible disease progression. Step therapy may not only cause significant health risks by increasing the time a patient waits for treatment, but also undermines the patient’s relationship with his or her own provider who is in the best position to know their medical history and assess a treatment plan when prescribing medications.

H.R. 2077 provides a clear and transparent process to request an exemption for medications submitted for step therapy review to ERISA-governed, private health plans. The legislation also establishes an expedient time frame for review of patient and provider requests to that end. Finally, the bill delineates that before a health plan can deny outright or delay a patient’s ability
to access a medically-necessary treatment, the provider’s professional judgment and comprehensive review of the patient’s history deserves the utmost consideration. On behalf of our respective memberships of patients, physicians, and other health care providers, we kindly request that you review H.R. 2077 and your Subcommittee gives full and fair consideration to the legislation. This common sense, bipartisan-led solution will have a positive impact on the many individuals who struggle needlessly to manage their disease state and overall health and wellbeing.

We look forward to meeting with your staff in the coming weeks to discuss further these important patient protections.

Sincerely,

Advocacy Council of the American College of Allergy, Asthma, and Immunology
The AIDS Institute
Allergy & Asthma Network
Alliance for Balanced Pain Management
Alliance for Patient Access
American Academy of Dermatology Association
American Academy of Neurology
American Autoimmune Related Diseases Association
The American College of Allergy, Asthma, and Immunology
American College of Rheumatology
American Migraine Foundation
American Society of Clinical Oncology
Arthritis Foundation
The Association of Migraine Disorders
Clusterbusters
Crohn's & Colitis Foundation
Dermatology Nurses' Association
Epilepsy Foundation
The Florida Society of Clinical Oncology (FLASCO)
Global Healthy Living Foundation
Hawaii Parkinson Association
Hemophilia Federation of America
International Essential Tremor Foundation
Lupus and Allied Diseases Association, Inc.
Mental Health America
Miles for Migraine
National Alliance on Mental Illness
National Alopecia Areata Foundation
National Eczema Association
National Headache Foundation
National Infusion Center Association
National Organization for Rare Disorders
National Psoriasis Foundation
Pulmonary Hypertension Association
Sjogren's Syndrome Foundation
SoldierStrong ACCESS
Tourette Association of America
U.S. Pain Foundation