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EXECUTIVE VICE PRESIDENT, CEO

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January 12, 2018

The Honorable Monica Youngblood  
New Mexico House of Representatives  
Capitol Room 205B  
490 Old Santa Fe Trail  
Santa Fe, NM 87501

Re: AMA Support for H.B. 42

Dear Representative Youngblood:

On behalf of the American Medical Association (AMA) and its physician and student members, I write to state our support for House Bill (H.B.) 42 to improve access to pharmaceutical care by minimizing the negative impact of step therapy protocols.

Step therapy requirements can harm patients and undercut the patient-physician decision making process by requiring that patients try cheaper alternatives before receiving the care recommended by a physician. But the most appropriate course of treatment for a given medical condition depends on the patient's unique clinical situation and the care plan developed by the provider in consultation with his or her patient. While a particular drug or therapy might generally be considered appropriate for a condition, the presence of comorbidities or patient intolerances, for example, may necessitate an alternative treatment. Step therapy requirements often fail to allow for such consideration, thus obstructing proper patient care.

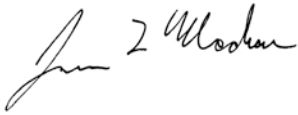
Thankfully, your legislation would improve physicians' ability to care for individual patients. H.B. 42 would establish a streamlined and expedited exceptions process when the step therapy requirements would require a patient to try a prescription drug that is contraindicated or could cause adverse reactions; when the drug is expected to be ineffective; when the drug has already been unsuccessfully tried by the patient; when the drug is not in the best interest of the patient; or when the patient is already stable on another drug. Requiring consideration of these factors by health insurance plans will do much to lessen the harmful impact of these step therapy protocols. Moreover, requiring that responses be provided to patients and physicians in an expedited timeframe when needed will significantly improve access to timely care.

Additionally, utilization management programs must have a clinically accurate foundation for provider adherence to be feasible. Physicians want nothing more than to provide the most clinically appropriate care for each individual patient. Cost-containment requirements, such as step therapy protocols, that do not have proper medical justification can put patient outcomes in jeopardy. We appreciate that your legislation aims to require that a clinically accurate foundation for step therapy protocols be established.

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In conclusion, the AMA looks forward to working with you, the New Mexico Medical Society, and all the other patient and provider groups supporting H.B 42 to ensure enactment. If you have any questions, please contact Emily Carroll, JD, Senior Legislative Attorney, AMA Advocacy Resource Center, at [emily.carroll@ama-assn.org](mailto:emily.carroll@ama-assn.org) or (312) 464-4967.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim L Madara". The signature is written in a cursive style with a large initial "J" and "M".

James L. Madara, MD

cc New Mexico Medical Society  
Barbara L. McAneny, MD