



Governor's Advisory Council for Exceptional Citizens (GACEC)  
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### MEMORANDUM

**DATE:** May 1, 2019

**TO:** The Honorable Members of the Delaware General Assembly

**FROM:** Ann C. Fisher, Chairperson  
GACEC

**RE:** House Bill No. 105 Step Therapy Exception Process

The Governor's Advisory Council for Exceptional Citizens (GACEC) has reviewed **House Bill No. 105**, which creates a Step Therapy Exception Process whereby patients who are required by their insurance company to go through step therapy protocols can, under certain circumstances, bypass step therapy to obtain the initially prescribed medication. Council **endorses** this effort to limit the ability of insurers to require step therapy. Step therapy places significant burdens on physicians and patients, and has been shown to have a negative impact on patients, including delayed access to the most effective treatment. This bill is an effective first step toward prioritizing patient care over insurer profit.

Step therapy requires patients to try less expensive drug therapies before coverage is provided for a drug selected by the patient's health care provider. The process is intended to control costs associated with prescription drugs, but can often undermine the judgment of physicians and can cause adverse or dangerous consequences for patients.

This bill provides the criteria to establish a step therapy protocol and requires that such protocols be based on clinical criteria that are developed and endorsed by a multidisciplinary panel of experts that manages conflicts of interest among the members of the writing and review groups and are based on peer-reviewed studies, research, and medical practice.

Thank you for your time and consideration of our endorsement and comments. Please feel free to contact me or Wendy Strauss at the GACEC office should you have any questions.