

- SUBJECT:** Prohibiting step therapy protocols for patients with stage-four cancer
- COMMITTEE:** Insurance — committee substitute recommended
- VOTE:** 9 ayes — Lucio, Oliverson, G. Bonnen, S. Davis, Julie Johnson, Lambert, Paul, C. Turner, Vo
- 0 nays
- WITNESSES:** For — Rebecca Birch, Susan G. Komen; Debra Patt, Texas Medical Association; (*Registered, but did not testify:* Denise Rose, AstraZeneca; Dennis Borel and Chris Masey, Coalition of Texans with Disabilities; Patricia Shipton, Texas Healthcare and Bioscience Institute; Bonnie Bruce)
- Against — (*Registered, but did not testify:* John McCord, NFIB; Jessica Boston, Texas Association of Business; Jamie Dudensing, Texas Association of Health Plans)
- On — (*Registered, but did not testify:* Rachel Bowden, Texas Department of Insurance)
- DIGEST:** CSHB 1584 would prohibit a health benefit plan that provided coverage for stage-four advanced cancer and associated conditions from requiring that an enrollee fail to successfully respond to a different drug or prove a history of such failure before the plan provided coverage for a prescription drug.
- This requirement would apply only to a drug whose use was consistent with best practices for the treatment of stage-four advanced cancer or an associated condition and was supported by peer-reviewed medical literature.
- The bill would apply only to certain health plans issued by specified organizations, including:

- a plan issued by health maintenance organization;
- a small employer health plan subject to the Health Insurance Portability and Availability Act;
- a consumer choice of benefits plan;
- a basic coverage plan under the Texas Employees Group Benefits Act;
- a basic plan under the Texas Public School Retired Employees Group Benefits Act;
- a primary care coverage plan under the Texas School Employees Uniform Group Health Coverage Act;
- a basic coverage plan under the Uniform Insurance Benefits Act for employees of the University of Texas and Texas A&M systems;
- group health coverage made available by a school district;
- a regional or local health care program providing services to certain small employers; and
- a self-funded health plan sponsored by a professional employer organization.

The bill also would apply to the state Medicaid program, including managed care programs, and the state child health plan program. The bill would apply to coverage under a group health plan provided to a resident of this state regardless of whether the group contract was issued or renewed in this state.

The bill would take effect September 1, 2019, and would apply to a health benefit plan issued or renewed on or after January 1, 2020.

**SUPPORTERS
SAY:**

CSHB 1584 would provide more flexibility in the doctor-patient relationship by prohibiting step therapy protocols for patients with stage-four advanced, metastatic cancer. Step therapy protocols require doctors to prescribe certain drugs first before prescribing other forms of medication and can be arduous for both patients and physicians, especially in cases where time is critical. By prohibiting these protocols for specific patients, this bill would improve patients' access to needed treatment and ensure doctors could develop treatment plans that best suited patients with time-

sensitive medical conditions.

**OPPONENTS
SAY:**

CSHB 1584 would increase health care costs for health plans and consumers by prohibiting step therapy protocols for patients with advanced, stage-four cancer. Step therapy protocols help reduce costs for health plans, and prohibiting this practice for certain patients would pass those costs on to other consumers through higher premiums.