

Rep. Subeck: Assembly Health Committee holds hearing on legislation to increase access to metastatic cancer treatment

Posted on Wednesday, Feb 16, 2022

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Assembly Bill 745 would eliminate step therapy protocols that impede access to the most current and appropriate treatment for metastatic cancer patients

MADISON - Today, Representative Lisa Subeck (D-Madison) urged lawmakers on the Assembly Committee on Health to support Assembly Bill 745, to ensure that patients diagnosed with metastatic cancer have access to the most current and appropriate treatments by eliminating “fail first” step therapy protocols for these treatments. The bill builds upon the bipartisan 2019 Act 12, which created limitations on the use of step therapy protocols and established regulations insurers must follow when requiring patients to “fail-first” on treatments other than those prescribed by the patient’s physician.

“Fail first” step therapy protocols require patients to try and “fail” a preferred or older treatment method, as determined by the payer rather than the patient’s health care provider, before a patient is allowed to access more advanced and potentially more effective treatments, putting the financial interests of the payer ahead of the health of the patient.

“I cannot imagine what it is like to find out you have a metastatic cancer diagnosis and then learn that your insurer will not allow or will unnecessarily delay access to therapies that could extend and improve your quality of life,” said Rep. Subeck. “Unfortunately, this is the experience of too many patients who are forced by their insurance companies to try outdated or less effective therapies before being

allowed access to the most current and effective treatment prescribed by their physicians.”

Metastatic cancer, sometimes referred to as Stage IV cancer, has initially developed in one organ and subsequently spread to other locations in the body, such as the bones, brain, and liver. Metastatic cancers, such as metastatic breast cancer, are frequently incurable but can be treated. Treatment can slow the growth of the cancer and reduce symptoms to prolong and improve quality of life.

“Treatment of metastatic cancer is highly personalized, and care decisions should be made by patients and their health care providers, not insurance companies and pharmacy benefit managers,” said Rep. Subeck. “When facing a metastatic cancer diagnosis, patients do not have time to waste on insurer dictated trial and error requirements; they need timely access to the most modern cancer treatments as determined by their physicians, not their insurance companies.”

To date, Colorado, Connecticut, Delaware, Georgia, Illinois, Maryland, North Dakota, Ohio, and Pennsylvania have passed legislation eliminating step therapy protocols for primary treatments for metastatic patients.

Representative Lisa Subeck has represented the 78th Assembly District since 2015 and serves as vice-chair of the Assembly Democratic Caucus.