



September 9, 2020

Mr. Mike Kreidler
Insurance Commissioner
302 Sid Snyder Ave., SW
Suite 200
Olympia, WA 98504

Re: Support for Consolidated Health Care Rulemaking R 2020-13 - WAC 284-43-2000

Commissioner Kreidler:

On behalf of the Movement Disorders Policy Coalition, I am writing in support of draft rulemaking R 2020-13, WAC 284-43-2000, which will, once implemented, protect patient access to appropriate clinical care by creating a clear process for patient and provider engagement around step therapy and prior authorization protocols. The corresponding bill, HB 1879, was passed in May 2019 and we urge you to include the outlined step therapy provisions in this rule in order to allow patients to access to the care prescribed by their health care providers.

The [Movement Disorders Policy Coalition](#) (MDPC) serves as a platform from which stakeholders, including health care providers and patients, can provide input on policy decisions impacting patient access to approved therapies and appropriate clinical care. As a coalition made up of eighteen stakeholder groups across the movement disorders community, MDPC advocates at the federal, state, and health plan levels for key health reforms that increase access and personalized care for patients with movement disorders.

Step therapy is a utilization management tool used by health insurance plans to contain rising health care costs. Sometimes called “fail first,” step therapy protocols require a patient to try and fail one or more medications – often lower cost – before he or she can access the medication preferred by their healthcare provider.

For movement disorders patients managing already complex conditions and treatment regimens, step therapy can lead to inappropriate delays in treatment and potential negative side effects with the insurer-preferred therapies. Placing barriers between patients and the therapies that their healthcare provider prescribes interferes with patient care and can have dangerous consequences.

WAC 284-43-2000 would protect patient access by establishing a clear and convenient process for patients and providers to request exceptions from utilization management tools, including step therapy and prior authorization. The bill that this regulation will implement does not prohibit the use of step therapy or set limits on the number of steps that an insurer can require, but it does outline specific instances where an exception would be granted. The intent is to protect patients’ right to timely medical attention by establishing timelines in which step therapy exception requests must be granted. Clear guidelines, improved accessibility, and faster response

times to utilization management appeals will help improve access to medications and protect the physician-patient relationship that is critical to successful care.

On behalf of MDPC, thank you for including utilization management review criteria in the Consolidated Health Care Rulemaking. We appreciate the opportunity to provide comment and we urge you to ensure this section is implemented in order to protect movement disorders patients' access to care.

Sincerely,

A handwritten signature in blue ink, appearing to read "Josie Cooper". The signature is fluid and cursive, with the first name "Josie" being more prominent than the last name "Cooper".

Josie Cooper
Director
Movement Disorders Policy Coalition

Co-Signing Organizations:
Caregiver Action Network
Hawai'i Parkinson Association
Huntington's Disease Society of America
National Organization for Tardive Dyskinesia
The Alliance for Patient Access
The Michael J. Fox Foundation for Parkinson's Research
The National Ataxia Foundation