

Fail First Puts Rhode Island Patients Last

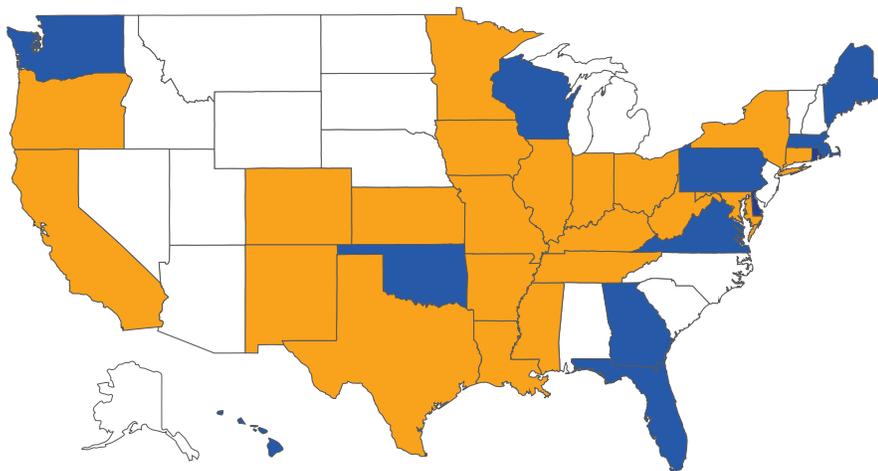
Patients should be protected from the harmful impact of Fail First policies that limit medically necessary access to vital medications prescribed by their health care providers. Rhode Island lawmakers must pass legislation (HB 5806) that reforms this unfair and clinically burdensome process.

Fail First (also known as step therapy) is a practice insurers use in a misguided attempt to control costs. It prevents patients from accessing the treatment prescribed by their health care provider by making them try and fail one or more alternative drugs.

Fail First policies negatively impact patients dealing with a wide range of medical conditions, including cancer, diabetes, inflammatory bowel diseases, psoriatic and rheumatoid arthritis, mental health, epilepsy, multiple sclerosis, autoimmune diseases, and more.

A survey of more than 1,400 patients conducted in 2016 by the Arthritis Foundation revealed that more than 50 percent of patients reported having to try two or more different drugs before getting the one originally prescribed by their health care provider.

Fail First can make patients sicker by delaying access to the most effective treatment. The time spent on trying and failing one or more medications can lead to disease progression and increase health care costs.



Fail First Policies in the States

States with Patient Protection Laws

AR, CA, CO, CT, IA, IL, IN, KS, KY, LA, MD, MN, MO, MS, NM, NY, OH, OR, TX, WV

States with Pending Legislation 2019

DE, FL, GA, HI, MA, ME, OK, PA, RI, VA, WA, WI

How Fail First Protections Will Help Rhode Island Patients

- Ensures Fail First protocols are based on clinical guidelines.
- Provides for a transparent exceptions and appeals process for health care patients and providers.
- All requests and appeals must be determined within 72 hours for non-emergency and 24 hours for emergency cases.
- Establishes circumstances for the prescribing health care provider to override Fail First when medically appropriate for a patient.

What Fail First Protections Will NOT Do

- It will not prevent health plans from using Fail First nor limit the number of allowed steps.
- It will not require health plans to develop a new exceptions process.
- It will not prevent health plans from requiring prior authorization before covering a drug.
- It will not prevent insurers from requiring patients to try a generic drug if it is equivalent to a brand.