
SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 154
by Senator Murray

AMENDMENT NO. 1

On page 1, line 2, after "(A)," delete "relative to the requirement" and insert the following:

"(B), and (C), relative to health insurance; to provide"

AMENDMENT NO. 2

On page 1, line 3, delete "with respect to any" and insert " for any health care"

AMENDMENT NO. 3

On page 1, line 4, after "contract;" add the following:

"to provide for the duration of step therapy or fail first protocol when treatment is
deemed ineffective;"

AMENDMENT NO. 4

On page 1, line 7, change "1053(A) is" to "1053(A), (B), and (C) are"

AMENDMENT NO. 5

On page 1, line 11, after "**contract**" insert "**,which utilizes step therapy or fail first
protocols,**"

AMENDMENT NO. 6

On page 1, line 13, after "shall" delete the remainder of the line, delete line 14 and insert the
following:

~~provide coverage for step therapy or fail first protocols as provided in~~ **comply with the
provisions of** this Section."

AMENDMENT NO. 7

On page 1, between lines 14 and 15, insert the following:

"B. When medications for the treatment of any medical condition are
restricted for use by an insurer by a step therapy or fail first protocol, the prescribing
physician shall have access to a clear and convenient process to expeditiously request
an override of such restriction from the insurer. An override of such restriction shall
be expeditiously ~~considered~~ **granted** by the insurer under any of the following
circumstances:

(1) The prescribing physician can demonstrate, based on sound clinical
evidence, that the preferred treatment required under step therapy or fail first
protocol has been ineffective in the treatment of the insured's disease or medical
condition.

(2) The prescribing physician can demonstrate, based on sound clinical
evidence, that the preferred treatment required under the step therapy or fail first
protocol is expected to be ineffective based on the known relevant physical or mental
characteristics of the insured and known characteristics of the drug regimen.

(3) The prescribing physician can demonstrate, based on sound clinical
evidence, that the preferred treatment required under the step therapy or fail first

1 protocol will cause or will likely cause an adverse reaction or other physical harm
2 to the insured.

3 C. The duration of any step therapy or fail first protocol shall not be longer
4 than the customary period for the medication when such treatment is deemed
5 clinically ineffective by the prescribing physician. When the ~~prescribing physician~~
6 **health coverage plan** can demonstrate, through sound clinical evidence, that the
7 originally prescribed medication is likely to require more than the customary period
8 for such medication to provide any relief or an amelioration to the insured, the step
9 therapy or fail first protocol may be extended for a period of time to be determined
10 by the physician."