
OLR Bill Analysis

sHB 6831

AN ACT CONCERNING THE OVERRIDE OF STEP THERAPY FOR CERTAIN MENTAL HEALTH CONDITIONS AND ESTABLISHING A TASK FORCE TO STUDY DATA COLLECTION EFFORTS REGARDING STEP THERAPY.

SUMMARY

By law, health carriers (e.g., insurers and HMOs) that use step therapy (i.e., fail first protocols) for covering prescription drugs must have a process that they disclose to health care providers for overriding the step therapy process. This bill requires health carriers to disclose the step therapy override process to providers in writing at least once a year. It also requires providers to display information about the override process in a conspicuous and prominent location, including on their website and an office bulletin board.

Additionally, from October 1, 2023, to October 1, 2026, the bill requires health carriers to grant a step therapy override request for drugs prescribed to treat schizophrenia, major depressive disorder, or bipolar disorder within 24 hours after a request is made.

Lastly, the bill establishes a 19-member task force to study step therapy data collection, including step therapy edits, rejections, and appeals for behavioral health drugs, and the best ways to collect data. It requires the task force to report its findings and recommendations to the Insurance and Real Estate and Public Health committees by February 1, 2024. The task force terminates when it submits its report or on February 1, 2024, whichever is earlier.

EFFECTIVE DATE: October 1, 2023, except the task force provisions are effective upon passage.

STEP THERAPY TASK FORCE

Under the bill, the task force includes the following members:

1. two health care providers with mental health expertise, one each appointed by the House speaker and the Senate president pro tempore;
2. one licensed pharmacist, appointed by the House minority leader;
3. one pharmaceutical manufacturing industry representative, appointed by the Senate minority leader;
4. the chairpersons and ranking members of the Insurance and Real Estate and Public Health committees, or their designees;
5. the Office of Health Strategy executive director, or her designee;
6. the insurance and consumer protection commissioners, or their designees;
7. one insurance industry representative, appointed by the Insurance and Real Estate Committee's House chairperson;
8. one pharmaceutical industry representative, appointed by the Insurance and Real Estate Committee's House ranking member;
9. one mental health care provider, appointed by the Insurance and Real Estate Committee's House chairperson; and
10. one mental health advocacy group representative who is an impacted individual, appointed by the Public Health Committee's House ranking member.

The bill requires the appointing authorities to make their appointments within 30 days after the bill's passage and fill any vacancies.

The bill also requires the House speaker and Senate president pro tempore to select the task force's chairpersons from among its members. The chairpersons must schedule the first meeting, which must be held within 60 days after the bill's passage. The Public Health Committee's administrative staff serve as the task force's staff.

BACKGROUND

Related Bill

SB 6, reported favorably by the Insurance and Real Estate Committee, prohibits health carriers from using step therapy for drugs prescribed to treat a behavioral health condition or a disabling, chronic, or life-threatening condition or disease.

COMMITTEE ACTION

Insurance and Real Estate Committee

Joint Favorable Substitute

Yea 11 Nay 1 (03/14/2023)