



**DATE:** March 2, 2023      **COMMITTEE:** House Health and Government Operations  
**BILL NO:** House Bill 785  
**BILL TITLE:** Health Insurance – Step Therapy or Fail–First Protocol – Revisions  
**POSITION:** Support

**Kennedy Krieger Institute supports House Bill 785 - Health Insurance – Step Therapy or Fail–First Protocol – Revisions**

**Bill Summary:**

House Bill 785 prohibits insurance carriers that provide prescription drug coverage through a pharmacy benefits manager (PBM) from imposing a step therapy or fail-first protocol for prescription drugs used to treat a mental disorder or condition.

**Background:**

Kennedy Krieger Institute is dedicated to improving the lives of children and young adults with developmental, behavioral, cognitive, and physical challenges. Kennedy Krieger’s services include inpatient, outpatient, school-based, and community-based programs. Over 27,000 individuals receive services annually at Kennedy Krieger.

Kennedy Krieger has several robust mental and behavioral health departments, treating patients and their families by providing compassionate, interdisciplinary clinical care. Our practices are rooted in medically researched interventions and guidance including Cognitive Behavioral Therapy (CBT), Dialectical Behavior Therapy, exposure, and response prevention, and more. **Mental and behavioral health makes up half of the patients served annually.** Kennedy Krieger’s programs are open to all patients; however, the Institute provides specialized care for patients experiencing co-diagnoses of intellectual or developmental disabilities.

**Rationale:**

Maryland is experiencing a tsunami of mental and behavioral health crises. This perfect storm of workforce shortages, lack of available spaces and increased demand has been a huge barrier to individuals seeking help, and those who elect not to seek help because they don’t believe the resources are available.

For those individuals who can make and attend a behavioral health appointment, a prescription plan is often necessary to assist in their treatment. Step therapy policies can be a barrier and delay for these patients. Requiring patients to try and fail treatments prior to the one originally prescribed can have devastating effects and delay prompt care.

At Kennedy Krieger, our providers are highly specialized with significant training and education. They are a part of inter-disciplinary team that works in tandem to explore best management plans for the patient. Limiting the doctor’s decision-making ability to prescribe a specific prescription is problematic and hurtful to the patient.

**Kennedy Krieger Institute requests a favorable report on House Bill 785.**