



New Yorkers Accessible Health Coverage

**MEMORANDUM IN SUPPORT
A2317-B(Peoples-Stokes)/S5022-B(Serino)**

Member Organizations

American Association of Kidney Patients,
New York chapter
American Cancer Society
Brain Tumor Foundation
Cancer Care
Care for the Homeless
Center for the Independence of the Disabled, NY
Cystic Fibrosis Foundation, Greater New York
chapter
Disabled in Action of Metropolitan New York
Epilepsy Foundation of Greater New York
Gay Men's Health Crisis
Hemophilia Association of New York
Huntington's Disease Society of America,
New York and Long Island chapters
Interagency Council of Mental Retardation and
Developmental Disabilities
Leukemia & Lymphoma Society, New York City
chapter
Lupus Agencies of NYS
Mental Health Association of New York City
Mental Health Association of Westchester County
National Alliance for the Mentally Ill – New York
State
National Aphasia Association
National Marfan Association
National Multiple Sclerosis Society, Capital,
Long Island, New York City, Southern, and
Upstate chapters
New York AIDS Coalition
New York Association of Psychiatric
Rehabilitation Services
SHARE: Self-Help for Women with Breast and
Ovarian Cancers
SLE Foundation
West Islip Breast Cancer Coalition for Long Island

Cooperating Organizations

Alliance of Resident Theaters of New York
Brooklynwide Interagency Council of the Aging
Citizen Action of New York
Commission of the Public's Health System
Community Service Society
Dance Theater Workshop
Greater New York Labor-Religion Coalition
Institute for Puerto Rican and Hispanic Elderly
Joint Public Affairs Committee for Older Adults
Lambda Legal Defense and Education Fund
Long Island Progressive Coalition
Medicare Rights Center
Metro New York Health Care for All Campaign
National Association of Social Workers,
New York City chapter
New York State Health Care Campaign
New York State Nurses Association
New York State Psychological Association
New York Statewide Senior Action Council
Senior Services
Society for Hospital Social Work Directors,
Metropolitan New York chapter
South Fork Community Health Initiative
William F. Ryan Community Health Center

New Yorkers for Accessible Health Coverage (NYFAHC) is a statewide coalition of 53 voluntary health organizations and allied groups who serve and represent people with chronic illnesses and disabilities, including cancer, HIV/AIDS, cognitive impairments, multiple sclerosis and epilepsy, for whom access to affordable, accessible comprehensive health coverage is essential to maintaining their well being.

NYFAHC strongly supports the passage of A. 2317-B/ S.5022-B. The bill would prohibit dropping of drugs from health plan formularies or adding higher cost sharing or new utilization review requirements for drugs already on formulary during a plan year unless, in the case of movement of a drug to a higher cost-sharing tier, a generic equivalent for that drug is being added to the formulary.

One of the most important things a consumer checks in determining what health plan he or she will enroll in is whether prescription drugs on which that individual depends are covered in the plan's formulary. For many consumers with serious or chronic illness, pharmaceutical products are their single largest category of health care costs. The adverse financial and health consequences to the consumer of a mid-year formulary reduction can be profound.

Current law does not permit the consumer to switch health plans until the next open enrollment period. The law guarantees no transition period in the event of such switches. Few health plans have robust exceptions processes or adequate rules to protect consumers who may depend upon particular drugs for their care when formularies are changed. Disrupting the continuity of care and delaying effective treatment can result in detrimental life threatening consequences and can actually lead to more medical complications, expensive hospitalizations, emergency room use, and higher health care costs. It can also discourage consumers from continuing with needed treatment due to side effects or because drug failure erodes their trust in medication.

Restricting mid-year formulary changes as this bill does introduces a measure of fairness. Consumers who pick a plan because it covers their drugs, will have the assurance that the reason for their choice will remain in place for the entire year for which they are committed to that plan.

NYFAHC suggests that the bill could be even more protective of consumers if it required health plans to decide on formulary deletions or new restrictions on formulary drugs by a date at least 30 days prior to annual open enrollment, and to prominently post those decisions with their formularies and notify current users of the drugs so that they have sufficient time to arrange for other coverage that better suits their needs.

NYFAHC's member organizations urges the Assembly Insurance Committee members to vote in favor of A2317/S5022. For further information, please contact Heidi Siegfried, NYFAHC's Project Director, at 646.442.4147 or hsiegfried@cidny.org