



Advocating the right to quality, affordable health care for all Mainers.

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To the Joint Standing Committee On Health Coverage, Insurance, and Financial Services

Testimony in Support of:

LD 178, An Act Regarding Step Therapy for Advanced Metastatic Cancer

February 5th, 2025

Senator Bailey, Representative Mathieson, and Members of the Joint Standing Committee On Health Coverage, Insurance, and Financial Services, thank you for the opportunity to submit these comments in support of LD 178, An Act Regarding Coverage for Step Therapy for Advanced Metastatic Cancer.

My name is Jakob Giron, Policy Advocate at Consumers for Affordable Health Care, and I'm happy to be testifying to this committee for the first time. Consumers for Affordable Healthcare is a nonpartisan, nonprofit organization that advocates the right to quality, affordable health care for every person in Maine. As designated by Maine's Attorney General, CAHC serves as Maine's Health Insurance Consumer Assistance Program, which operates a toll-free HelpLine. Our HelpLine fielded nearly 7,300 calls and emails this past year from people across Maine who needed help obtaining, keeping, using, or fixing problems with their private health insurance or with accessing or affording health care services.

This bill would ensure that patients suffering from metastatic cancer receive the best possible care by removing the requirement under some insurance plans that they undergo step therapy, which requires patients to try lower-cost medications or treatments before covering more expensive options. Stage 4 cancer is ultimately a severely life-compromising illness that is, in most cases, highly resistant to long-term treatment.¹ The survival rate of metastatic cancer is low, ranging from around 3%-30% in most cases.² It is important for these patients to have immediate and unfettered access to the highest quality and most proven treatments.

While we recognize that there are some situations in which step therapy can provide cost savings for both patients and insurers, in this case we believe it delays life prolonging treatments and denies patients autonomy over their personal health. A recent survey by Cardinal Health shows that more than 80% of oncologists frequently see mental health distress in their patients with cancer, and more than 90% say it has a significant impact on their health outcomes.³ Fail-first policies stand in the way of pathways to improve these grave outcomes.

¹ <https://my.clevelandclinic.org/health/diseases/22213-metastasis-metastatic-cancer>

² <https://surveillance.cancer.gov/reports/tech2011.01.pdf>

³ <https://newsroom.cardinalhealth.com/2021-12-09-Mental-health-distress-impacting-cancer-patients,-says-new-Cardinal-Health-survey-of-oncologists>

Opponents of this measure may argue that step therapy prevents unnecessary spending and ultimately results in lower consumer premiums. However, whatever short-term cost-saving relief that may apply in some cases certainly does not apply and should not be considered when lives are at stake. Step therapy in these cases is a clear cost-saving measure utilized by insurance companies at the expense of patient health and wellbeing. Advanced Cancer patients do not have the luxury of a trial-and-error approach to their healthcare needs. Medical professionals must have the ability to put their expertise into practice by making the best recommendations possible and providing proven, high-quality care for their patients.

There could be a situation, however, that we would urge the committee to consider, that could stand to benefit both cancer patients and insurers. Should a generic or biosimilar version with the same active ingredient(s) as a brand name become available, giving providers the ability to prescribe the generic drug or biosimilar could be seen as an effort to reduce costs for patients and insurers, while not compromising patient care.

By improving the ability of metastatic cancer patients to access the prescription drugs and therapies they need and allowing them to focus on their lives and their loved ones, we can provide them with greater autonomy and a sense of peace. This bill will protect patients from the harmful and unnecessary delays imposed by Step Therapy and ensure that the health and well-being of patients is the number one priority. Consumers for Affordable Healthcare stands in full support of LD 178.