



**Alliance for  
Patient Access**

February 21, 2023

Representative Lindsey Daugherty  
200 E Colfax  
Room 307  
Denver, CO 80203

Representative Chris deGruy Kennedy  
200 E Colfax  
Room 307  
Denver, CO 80203

**Re: HB 23-1130 – Drug Coverage for Serious Mental Illness**

Dear Representative Daugherty and Representative Kennedy:

On behalf of the Alliance for Patient Access (AfPA), I am writing to express support for HB 23-1130, which will patients access to treatments for serious mental illness (SMI). This bill will improve access to crucial medications for those with serious mental illnesses by removing unnecessary step therapy and prior authorization requirements.

Founded in 2006, AfPA is a national network of policy-minded health care providers who advocate for patient-centered care. AfPA supports policies that reinforce shared decision-making, promote personalized care and protect the clinician-patient relationship. Motivated by these principles, AfPA members participate in clinician working groups, advocacy initiatives, stakeholder coalitions and the creation of educational materials. AfPA's Mental Health Working Group convenes clinicians focused on ensuring policy matches the emerging state of mental health care.

This legislation seeks to improve access to antipsychotic medications for patients who have SMI by:

- Simplifying step therapy/prior authorization requirements for a drug product for the treatment of serious mental illness if there is no acceptable alternative on the preferred drug list or the alternatives have been previously ineffective for the patient
- Removing prior authorization requirements if a prior authorization has been granted in the previous 12 months
- Requiring a response for prior authorization within 24 hours of the request

Step therapy is a tactic used by many payers that requires patients to try and fail insurer preferred options often based on cost, prior to receiving approval for the preferred treatment as dictated by the prescribing clinician. Insurers may require failure on more than one medication, leading to significant delays before getting to a successful therapy. For mental health patients, “fail first” policies can have a devastating impact. Many older, first-generation antipsychotics have several negative side effects, including but not limited to weight gain, seizures, tardive dyskinesia and sedation.<sup>1</sup>

Prior authorization is another tactic used by insurance companies with a similar goal. Before receiving access to the prescribed treatment, insurers often require the clinician to complete prior authorization paperwork justifying the treatment. This often leads to treatment delays for days or

<sup>1</sup> <https://www.goodtherapy.org/drugs/anti-psychotics.html>

even weeks. For patients with SMI, these delays can have a devastating impact, leading to exacerbation of symptoms.

This legislation is critically important, as mental health patients often do not have time to wait for insurance hurdles to be resolved. Studies of state Medicaid programs have found psychiatric patients' lack of access to SMI medications contributes to a higher rate of negative outcomes, including increased emergency room visits, hospitalizations, homelessness or incarceration. In addition, these negative outcomes are particularly burdensome in communities of color.<sup>2</sup> Improving psychiatric patients' access to these medications has the potential to reduce financial and administrative burdens on the health care system, but other social institutions, as well.

Persons with untreated SMI run the risk of several serious, negative outcomes. A 2014 study found that homeless individuals with SMI have high non-adherence rates: 47.1 percent for psychiatric medications and 70 percent for schizophrenia medications.<sup>3</sup> Medication access and adherence is key to positive outcomes, including stable housing. Adherence is instrumental in stabilizing SMI patients, which can prevent homelessness and assist patients transitioning into housing. The provisions of this legislation will make it easier for individuals, who may have historically faced issues related to continuity of care, to have consistent access to much-needed treatments. Last, but not insignificant, SMI patients who have been stabilized because of access to critical medications will be better equipped to tend to their health care and safety needs.

It is for these reasons that the Alliance for Patient Access is seeking these modest, but impactful changes to the Medicaid system that would significantly benefit beneficiaries with SMI. We respectfully request your support for HB 23-1130. If you have any questions, please contact the Alliance for Patient Access at (202) 951-7097.

Sincerely,



Executive Director, Alliance for Patient Access

**CC: Representative Kyle Brown**  
**Representative Lorena Garcia**  
**Representative Anthony Harstook**  
**Representative Sheila Lieder**  
**Representative Karen McCormick**  
**Representative David Ortiz**  
**Representative Matt Soper**  
**Representative Brianna Titone**  
**Representative Ron Weinberg**

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<sup>2</sup> <https://jamanetwork.com/journals/jama-health-forum/fullarticle/2793285>

<sup>3</sup> <https://pubs.lib.umn.edu/index.php/innovations/article/view/342>