



State of Your Health:

How the New Law in West Virginia May Impact You

In 2017, West Virginia passed legislation to address step therapy and the law went into effect in early 2018.

First, let's define step therapy.

Step therapy is a practice used by insurers that requires patients to try lower-cost medications before permitting more expensive treatments, even when the doctor wants to prescribe them. In other words, more expensive and effective drugs can only be purchased if the cheaper ones prove ineffective.

How does this new law address step therapy in West Virginia?

This new law increases the ability of the patient's health care provider to make important decisions about a patient's treatment.

Specific components of the law include:

- ▼ Requires health plans have a clear and easy process for a patient or health care provider to request an exemption to step therapy. The process must be easily accessible on the health plan website.
- ▼ A request for an exemption to step therapy protocol must be promptly approved by the health plan insurer if:
 - Drug is contraindicated (meaning the drug may be harmful to the patient)
 - Drug is expected to be ineffective
 - Patient has previously tried a drug and it was discontinued
 - Drug is not in the best interest of the patient
 - Patient is already stable on prescribed medication

Who benefits from this new law?

Generally, a person with a health benefit plan that includes prescription drug benefits and utilizes step therapy protocols benefits from this law. To learn if you are covered, contact your insurer and provide your policy number.

What should I do if I experience this barrier to care in West Virginia?

If you are experiencing a barrier to care, contact the Office of the Insurance Commissioner - consumer.service@wvinsurance.gov. They can help address your situation. You can easily find instructions on how to appeal through your insurance company, file a complaint with your Insurance Commissioner, or request an external appeal. Go to: WVinsurance.gov or call the Offices of the Insurance Commissioner at 1-888-879-9842.