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March 26, 2013

Senator Catharine Young
Room 307 Legislative Office Building
Albany, NY 12247

Assemblyman Matthew Titone
Room 643 Legislative Office Building
Albany, NY 12248

RE: A.5214 / S.2711 -- Support

Dear Legislators,

I am writing to you today on behalf of the more than 56,000 members nationwide of CreakyJoints.org, a part of the Global Healthy Living Foundation, to express our support for A. 5214 / S.2711, an act to amend the insurance law, in relation to the regulation of step therapy and first fail policies. More than 15,200 members of CreakyJoints live in New York State, and I write to you on behalf of those residents living with chronic pain.

CreakyJoints is an arthritis patient advocacy organization dedicated to building, sustaining and educating people with all forms of arthritis. Nearly 75 percent of our members have Rheumatoid Arthritis, and I would like to specifically address their concerns regarding step therapy for the treatment of their RA or chronic pain.

About 1.3 million people in the United States are believed to have Rheumatoid Arthritis. Rheumatoid Arthritis is a painful condition that affects all ages, races, and social and ethnic groups. Although there is no cure for Rheumatoid Arthritis, the disease can be controlled in most people. Early, aggressive therapy to stop or slow inflammation in the joints can prevent or reduce painful symptoms, prevent or reduce joint destruction and deformity, and prevent or lessen disability and other complications.

Here are just a few examples explaining why step therapy strategies are problematic for RA patients and doctors:

- Step therapy or fail first protocols require patients to experiment with various pain medications - including over-the-counter pain medications - before getting the one originally prescribed by their doctor. Oftentimes patients have to “fail” up to five times before they are finally given the prescription that their doctor originally prescribed. The duration of this protocol is left up to the insurance company and can last up to 130 days per medication.

- Step therapy is time-consuming from a physician and patient standpoint, is more expensive from a direct and indirect out-of-pocket cost perspective, it denies patients the drugs they need when they need them, and creates additional barriers leading people to forgo needed medications

Patients with Rheumatoid Arthritis need access to affordable prescription drugs coverage to manage their disease. A. 5214 / S.2711 would bring New York one step closer to changing practices that have resulted in higher long-term health care costs and the unnecessary physical and emotional suffering that patients endure.

In 2011 the Global Healthy Living Foundation launched a national campaign, “Fail First Hurts” (<http://www.FailFirstHurts.org>), to provide personal perspective on step therapy, or fail first practices by insurance companies. People living with pain associated with RA, chronic or acute pain need to efficiently and adequately address their needs through the medication intended by their physician. We hope that you will consider these people – many of whom live in New York – when voting for A. 5214 / S.2711.

If you have questions or wish to discuss this further, please contact us 845-348-0400.

Thank you for caring about patients and their need for quality access to care in New York.

Sincerely,



Seth Ginsberg
President, Global Health Living Foundation

