

## Session 2019 Wrap Up

We had a big win with step therapy reform in the 2019 Oklahoma legislative session and some disappointments – so a typical session.

We were able to pass a measure for step therapy reform that contained nearly the introduced language, one of the most – if not the most - comprehensive bills to pass yet in the country. The bipartisan measure, SB509, is authored by Sen. Dave Rader (R), Rep. Cyndi Munson (D) and Rep. Jon Echols (R) along with 32 coauthors, representing both parties. The MS Society secured both Rader and Munson's authorship through advocates and lobbying efforts and worked with the Oklahoma Epilepsy Foundation to obtain Echols' authorship. All votes were unanimous including those on sister measure, HB2638, that we allowed to die after SB509 passed. The measure includes non-ERISA governed private plans, state employee health insurance and Medicaid. The measure sets up guidelines for exceptions to the step therapy process, appealing denials and timelines for responses.

Advocates and coalition members worked diligently to educate legislators about the need for step therapy reform for better health outcomes for patients. Besides coming to the capitol, responding to alerts and meeting their legislators, advocates shared their stories on social media and in the press. The coordinated effort from a large group of patient advocacy organizations and health care provider groups allowed us to have a strong, unified front and our selected authors remained firm with bill language despite pressure from insurance companies, pharmacy benefit managers and the Oklahoma Health Care Authority. We believe the measure will do much to help Oklahoma patients and their families and reduce costs to patients and the state.

Here is the final version: [http://webserver1.lsb.state.ok.us/cf\\_pdf/2019-20%20ENR/SB/SB509%20ENR.PDF](http://webserver1.lsb.state.ok.us/cf_pdf/2019-20%20ENR/SB/SB509%20ENR.PDF)

Unfortunately, the legislature did nothing to move toward acceptance of federal funds for expansion of Insure Oklahoma, which would have provided better access to health care to many Oklahomans. Sen. Greg McCortney had introduced SB605 calling for the acceptance of federal funds but allowed the measure to go dormant early in session with the understanding that members and Gov. Stitt would discuss the issue during budget negotiations. The plan appeared to have momentum later in session especially after a group filed a ballot petition and began gathering signatures for the full expansion of Medicaid – rather than Insure Oklahoma. Legislators were worried that voters would approve a ballot measure with a lot of issues as they did with the medical marijuana ballot and the legislators would have to fix problems in subsequent sessions. However, in the waning days of session, no action was taken as the plan met with internal resistance within the Republican caucus, especially in the House, and the governor's office, despite members of the governor's health transition team advocating for acceptance of federal funds. Speaker McCall stated he would like to call together a working group to study the issue over the interim but has not named members to that group yet. SB605, which was not in its final planned form when it went dormant, would likely have had some elements such as work requirements that some organizations would have not supported. It remains to be seen what action leadership will take on this issue and the ballot group continues to gather signatures for a vote likely in November 2020.

Another area of disappointment was insurance coverage. The Insurance Commissioner's Office introduced two measures regarding insurance plans to which the MS Society and a coalition of patient

advocacy groups objected. However, both measures passed and Gov. Stitt signed them. SB943 outlines the establishment of association health plans. Here is the final version:

[http://webserver1.lsb.state.ok.us/cf\\_pdf/2019-20%20ENR/SB/SB943%20ENR.PDF](http://webserver1.lsb.state.ok.us/cf_pdf/2019-20%20ENR/SB/SB943%20ENR.PDF). SB993, sometimes referred to as junk insurance, allows the establishment of short-term, limited-duration insurance plans. The Society also protested the measure along with the same coalition. The measure was amended to require language on insurance cards to try to help consumers know that they are purchasing limited plans, but the change did not alleviate concerns. Here is the final version of the measure:  
[http://webserver1.lsb.state.ok.us/cf\\_pdf/2019-20%20ENR/SB/SB993%20ENR.PDF](http://webserver1.lsb.state.ok.us/cf_pdf/2019-20%20ENR/SB/SB993%20ENR.PDF).

Though we did not win all that we had hoped this session, we are pleased with the step therapy reform measure and hope it will help many patients for years to come. The new members of the legislature are very much more interested in health care and we hope this is a sign of more good things to come in the area of health care!