



March 1, 2017

The Honorable Jack Tate, Chair
Colorado Senate Business, Labor and Technology Committee
Colorado State Capitol
200 E. Colfax Ave.
Denver, CO, 80203

Dear Chairman Tate and Members of the Colorado Senate Business, Labor and Technology Committee:

On behalf of the Epilepsy Foundation and our Colorado affiliate, Epilepsy Foundation of Colorado, we urge your support of Senate Bill 203, which was introduced by Senator Nancy Todd. This bill supports a critical priority for the epilepsy community – open access to physician-directed care and treatments. The bill would allow patients and physicians, in limited circumstances, to override step therapy protocols used by insurance companies. Step therapy protocols require patients to try and fail on a series of medications before they are actually allowed to use the medication originally prescribed by their health care provider. The bill would not prohibit these techniques completely, limit the number of steps an insurer can impose, or prioritize the prescribing of brand name drugs over generics. Instead, it would allow a health care provider and patient to override an insurer's step therapy requirements when the insurers preferred drug is contraindicated or would cause an adverse reaction to the specific patient. Completely limiting access to certain medications is dangerous to patients, especially individuals living with epilepsy, and it leads to higher overall health care costs.

The Epilepsy Foundation is the leading national voluntary health organization that speaks on behalf of more than three million Americans with epilepsy and seizures. We foster the wellbeing of children and adults affected by seizures through research programs, educational activities, advocacy, and direct services.

Epilepsy is a medical condition that produces seizures affecting a variety of mental and physical functions. Approximately 1 in 26 Americans will develop epilepsy at some point in their lifetime. For the majority of people living with epilepsy, epilepsy medications are the most common and most cost effective treatment for controlling and/or reducing seizures, and they must have meaningful and timely access to physician-directed care. Epilepsy medications are not interchangeable and treatment of epilepsy is highly individualized. There is no "one size fits all" treatment option for epilepsy, and the response to medications can be different for each person. Maintaining seizure control with minimal side effects requires careful evaluation and monitoring by physicians and their patients. To change, limit, or deny access to medications could be extremely dangerous.

People living with epilepsy who have their medications switched, or who experience a delay in accessing their medication, are at a high risk for developing breakthrough seizures and related complications including death. Limits to physician-directed care can also significantly increase medical costs related to preventable seizures, along with lost wages and productivity, not just for the individuals living with epilepsy but also their families and communities.

Selection of the appropriate medication to prevent seizures is determined by a number of variables, including type of seizure, seizure frequency, age, gender, and other health conditions. Determining the right medication for a particular person may require trial-and-error, along with close observation of blood levels and side effects. For these reasons, physicians and their patients need to be assured that the full array of treatment options is available without onerous utilization management protocols like step therapy. The treating physician is in the best position to make the judgment about which medication is most appropriate.

The Epilepsy Foundation and the Epilepsy Foundation of Colorado oppose policies intended to restrict access to physician-directed care. These policies unnecessarily prolong ineffective treatment and/or prevent individuals from accessing the treatment that their physicians, who provide care based on their expert knowledge and experience, think is best.

The Epilepsy Foundation and the Epilepsy Foundation of Colorado urge you to support Senate Bill 203. Please feel free to contact Gail Pundsack at gail@epilepsycolorado.org or 303-377-9774 ext. 204 or Angela Ostrom, Chief Legal Officer & Vice President Public Policy, at aostrom@efa.org or 301-918-3766 with any questions or follow-up.

Sincerely,



Gail Pundsack
Executive Director
Epilepsy Foundation of Colorado



Philip M. Gattone, M.Ed
President & CEO
Epilepsy Foundation