



Rhode Island Executive Office of Health and Human Services
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May 20, 2025

The Honorable Marvin L. Abney, Chairman
House Committee on Finance
Room 35, State House
Providence, Rhode Island 02903

RE: 2025 H 5320 - An Act Relating to Insurance – Accident and Sickness Insurance Policies

Dear Chairman Abney:

The Executive Office of Health and Human Services/Medicaid would like to share our concerns regarding **H 5320**, An Act Relating to Insurance – Accident and Sickness Insurance Policies. This bill would prohibit the use of prior authorization or step therapy for nonpreferred medications classified as anticonvulsants or antipsychotics in certain circumstances, such as when the enrollee has previously filled a nonpreferred medication, a preferred medication has been tried and not worked or had unacceptable side effects, or if the enrollee is stable on a nonpreferred medication ordered in an inpatient setting. The bill applies to both commercial insurance and to Medicaid.

Rhode Island Medicaid has a robust process for determining utilization management processes for drugs, through the Pharmacy & Therapeutics Committee. As part of this committee's work, members have discussed the question of whether to remove prior authorization for drugs of this type. The psychiatrist on the committee has explained that he strongly recommends retaining prior authorization for these drugs. Issues include varying prescriber skill and knowledge levels, the risk of potential drug interactions, and issues around safe duration of use and safe dosing. These issues would be relevant even in the case of a patient having previous success on a particular nonpreferred drug or having not had success on a preferred drug in the same class.

EOHHS/Medicaid is committed to ensuring access to needed services, including drugs in these classes and including non-preferred drugs in these classes where needed. The state's prior authorization process allows Medicaid to turn requests around very promptly. For that reason, this bill would not be likely to increase access to these drugs. It would, however, introduce more safety risks to our beneficiaries.

I would welcome any discussion about **H 5320**, and staff are available to assist with any questions or concerns.

Sincerely,

Kristin Pono Sousa
Rhode Island Medicaid Program Director
Executive Office of Health and Human Services

CC: Honorable Members of the House Committee on Finance
Honorable Stephen M. Casey
Nicole McCarty, Esq., Chief Legal Counsel
Lynne Urbani, Director of House Policy