

# S.5374 (Harckham)

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<b>BILL</b> S.5374 (Harckham)
<b>SUBJECT</b> Prohibits Prior Authorization of Anti-Viral Medications
<b>DATE</b> May 07, 2024
<b>OPPOSE</b>

The Business Council opposes S.5374 (Harckham) which prohibits health plans from requiring prior authorization on anti-retroviral medication used to treat and prevent HIV infection.

Prior authorization (or preauthorization) is an important tool designed to protect patients and ensure they receive clinically appropriate medical care from a health care professional with appropriate training. The prior authorization process protects patients from potential overtreatment and unnecessary testing, saves patients from superfluous medical costs, and allows plans to improve care coordination for patients. Without prior authorization, patients could be exposed to tests, procedures and services that are not medically necessary and may cause harm. These protections are critical to ensure a patient receives safe and effective care.

Health plans cover the use of pre-exposure prophylaxis (PrEP) antiretroviral therapy for the prevention of HIV infection as recommended by the United States Preventive Services Task Force. As it receives a Grade A recommendation from USPSTF, it is required by the Affordable Care Act to be covered at no cost.

Removing prior authorization only removes critical protections to care for the patient. It can also lead to unnecessary costs if certain protections are not put in place for the patient. New York's small and medium-sized businesses and their employees cannot continue to shoulder the burden of ever-increasing health care insurance costs, especially when those mandates remove necessary patient protections.

For these reasons, The Business Council opposes S.5374 (Harckham).