



February 17, 2026

Senator John Hunt, Chair
Senate Commerce and Consumer Affairs Committee
GP Room 229
New Hampshire Senate
107 North Main Street
Concord, NH 03301

Dear Chair Hunt and Members of the Senate Commerce and Consumer Affairs Committee,

The Northern New England Clinical Oncology Society (NNECOS) and the Association for Clinical Oncology (ASCO) **strongly support HB 1638**, which would update and clarify existing statute related to step therapy procedures.

ASCO is committed to supporting policies that reduce cost while preserving quality of cancer care; it is critical that such policies be developed and implemented in a way that does not undermine patient access. Payer utilization management approaches like step therapy protocols are of particular concern because they represent greater likelihood of raising barriers to appropriate care for individuals with cancer. While many treatments preferred by payers cost less, they may not be the best treatment available for the patient.

Step therapy or fail-first policies can be particularly problematic for patients with cancer because they can significantly delay a patient's access to the best treatment available for their condition. While waiting to complete a "step," a patient with cancer may experience disease progression and irreversible damage to their overall health.

NNECOS and ASCO are pleased that HB 1638 would place guardrails around step therapy by:

- Ensuring step therapy protocols are based on widely accepted medical and clinical guidelines;
- Updating the clinically justified circumstances for a patient and provider to override a step therapy protocol when the medicine required under that protocol is likely to cause an adverse reaction, is expected to be ineffective or has already proven to be ineffective under a previous health plan, or is not in the best interest of the patient; and
- Ensuring timely access to care by requiring that a step therapy exemption request must be answered within 72 hours under urgent circumstances and within seven calendar days if the request is not urgent.

NNECOS and ASCO also appreciate language in this bill that prohibits the use of step therapy for drugs used to treat metastatic cancer and associated conditions. Supportive care medications, which are used to treat associated conditions of metastatic cancer such as nausea or peripheral neuropathy, are frequently subject to step therapy protocols. Requiring patients with metastatic cancer to start with

less effective medications to treat their cancer and associated conditions delays the benefit of these therapies and impacts patients' quality of life and long-term positive health outcomes.

NNECOS and ASCO appreciate the steps HB 1638 takes toward improving step therapy procedures in New Hampshire, and **we urge the Committee to pass this measure**. Please contact Sarah Lanford at ASCO at Sarah.Lanford@asco.org if you have any questions or if we can be of assistance.

Sincerely,



Jeanna Walsh, MD
President
Northern New England Clinical Oncology Society



Lynn M. Schuchter, MD, FASCO
Chair of the Board
Association for Clinical Oncology

NNECOS is a professional organization whose mission is to promote the highest quality care for patients with cancer and blood disorders in northern New England. NNECOS members are a community of hematologists, oncologists, and other physicians and allied health professionals who specialize in cancer care. ASCO is an organization representing physicians who care for people with cancer. With over 50,000 members, our core mission is to ensure that cancer patients have meaningful access to high-quality cancer care.