



December 3, 2018

The Honorable Dave Burke  
Senate Building  
1 Capitol Square, Ground Floor  
Columbus, Ohio 43215

Dear Chair Burke and Members of the Senate Health, Human Services, and Medicaid Committee:

On behalf of the Epilepsy Foundation, our local chapter, Epilepsy Foundation Ohio, and the 126,500 individuals living with epilepsy and seizures in the state, we write to urge your support for House Bill 479 which would prohibit health plan issuers, pharmacy benefit managers, or any other administrators from preventing pharmacists from disclosing cost-sharing information to consumers.

The Epilepsy Foundation is the leading national voluntary health organization that speaks on behalf of the at least 3.4 million Americans living with epilepsy and seizures. Our local chapter, Epilepsy Foundation Ohio, advocates and provides services for the approximately 126,500 individuals living with epilepsy and seizures in the state. Collectively, 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 cost-effective treatment for controlling and/or reducing seizures, and they must have meaningful access to physician-directed care.

The Epilepsy Foundation and Epilepsy Foundation Ohio believe that individuals deserve affordable access to the treatment their providers have determined they need, and access should not be dependent on the type of insurance they carry. Occasionally, for some individuals or some therapies, it can be less expensive for an individual to purchase the medication outside of their healthcare plan. Certain insurance practices prevent pharmacists from passing information to consumers about the lower price option – these policies are known as pharmacist gag clauses.

We support HB 479 because we believe pharmacists should be free to speak to consumers about all available options, particularly if an individual is inquiring about alternative ways to afford a therapy or to save money on their treatment regimen. Along with this, we believe that individuals should also be educated about the impact of paying for a prescription medication outside of their health plan and understand the implications for meeting deductibles and out-of-pocket caps. If there are alternative, and cheaper, means of purchasing a prescription



medication, individuals should be entitled to that information and allowed to make the purchasing decision that works best for them.

The Epilepsy Foundation and Epilepsy Foundation Ohio urge your support for HB 479 which would prohibit pharmacy gag clauses and allow consumers to be informed of the full range of payment and cost-sharing options available to them at the pharmacy counter. Please do not hesitate to contact Pamela Jacques, Executive Director of Epilepsy Foundation Ohio, at 937-233-2500 or [pjacques@efa.org](mailto:pjacques@efa.org) with any questions, concerns or follow-up. You may also contact Laura Weidner, Esq., Vice President of Government Relations & Advocacy with our National office, at 301-918-3766 or [lweidner@efa.org](mailto:lweidner@efa.org).

Sincerely,

A handwritten signature in black ink that reads "Pamela M. Jacques".

Pamela Jacques, MS, CPW, CHES  
Executive Director  
Epilepsy Foundation Ohio

A handwritten signature in black ink that reads "Philip M. Gattone".

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