



April 8, 2019

The Honorable Representative Derek Merrin
Chair, House Committee on Health
Columbus, OH

RE: Support for House Bill 63

Dear Chairman Merrin:

The Arthritis Foundation asks for your support of House Bill 63, the Prescription Drug Co-Pay Integrity Act, relating to pharmacy benefit manager regulation. The Arthritis Foundation advocates for the disclosure of information that helps consumers make informed healthcare choices and price comparisons. Currently, some pharmacists must sign “gag orders” that prohibit the disclosure of pricing options to patients. These gag orders can prevent the patient from making the cheaper choice of paying out of pocket rather than paying a higher co-pay.

House Bill 63 seeks to directly address this issue by ensuring that a contract between a pharmacy benefit manager (PBM) or insurer and a pharmacist or pharmacy may not restrict or penalize a pharmacist's or pharmacy's disclosure of cost information to a person purchasing medication. This includes the cost difference between a person's copayment and the price the person could pay without using their insurance. Therefore, the bill ensures that the patient is charged the lowest possible amount for their medication.

Last year, the Ohio Department of Insurance issued a [statement](#) that blocked the practices of *the copay gag order* and *pharmacist clawback*. While this alleviated the immediate problem, we now need to codify these regulations.

On behalf of the more than 2,547,000 adults and 11,500 children in Ohio living with doctor-diagnosed arthritis, the Arthritis Foundation respectfully asks that you vote favorably for the legislation, HB 63.

Sincerely,

Pam Fields

Pam Fields
State Director, Advocacy & Access
Arthritis Foundation
4665 Cornell Rd., Ste. 109
Cincinnati, OH 45241
pfields@arthritis.org