



Representative Susan Manchester

Sponsor Testimony: House Bill 135

House Health Committee

March 2, 2020

Good morning Chairman Lipps, Vice Chairman Holmes, Ranking Member Russo, and Members of the Committee. Thank you for the opportunity to testify in support of House Bill 135, legislation that will remove discriminatory policies that often negatively impact consumers trying to meet their mandated health insurance cost-sharing responsibilities. This legislation is overwhelmingly supported by numerous patient groups and professional health care organizations, which are listed on the final page of my testimony.

HB 135 is needed to assist our constituents who find themselves increasingly subjected to more out-of-pocket costs as part of their insurance coverage. In an effort to help these patients, co-pay assistance programs through third parties, (such as charities, foundations, churches and drug manufacturers), help patients with chronic, complex conditions by covering the additional costs they are required to pay for their prescription drugs. The assistance provided through these programs is designed to simply help patients meet their ever-increasing insurance deductible and coinsurance requirements. Patients have told me this assistance is crucial in allowing them to save thousands of dollars each month on their prescription coverage and to be able to meet their other medical and insurance plan costs. These cost-sharing programs are based on financial need and exist to help patients pay for innovative prescription drugs for which no generics currently exist.

In an effort to shift costs back onto the patient, health insurers have recently begun to institute policies that prevent these copay assistance programs from applying toward a patient's deductible and coinsurance. Patients are often told they can use the co-pay assistance but that the insurer will not apply the value of that assistance to their mandated out-of-pocket requirement. In addition, patients are often unaware of this practice until well into their coverage year. They then receive notice that the amounts the patient thought were previously fulfilled, have not been counted at all. Representative West and I were recently told by one

patient group that their insurer sent them notice that only the enrollee (not even a spouse, parent or other family member) could submit payment and have that count to their out-of-pocket requirement due to this increasing practice.

I want to be clear about one crucial issue. The language contained in HB 135 does nothing to prevent the use of medically appropriate generic medications for patients through their health insurance coverage and application to out-of-pocket expenses.

The goal of House Bill 135 is to help patients reduce their out-of-pocket costs by allowing the payments from copay assistance programs or other financial assistance programs to count toward a patient's deductible and coinsurance. Similar legislation has already been passed in West Virginia, Virginia, Illinois, and Arizona, with legislation under consideration in North Carolina, Kentucky, and Indiana. This bill strives to protect patients who are being blindsided by unfair policies when learning they owe thousands of dollars because of unmet deductibles.

I am grateful to Representative West for his partnership on this important legislation and look forward to answering any questions you may have. Thank you.

Organizations Supporting Ohio House Bill 135



- American Association of Clinical Urologists
- AIMED Alliance
- Alliance for Patient Access
- American Autoimmune Related Diseases Association
- American Cancer Society Cancer Action Network
- American Diabetes Association
- Arthritis Foundation
- Arthritis Foundation – Ohio River Valley
- American Heart Association
- American Kidney Fund
- American Liver Foundation
- Association of Women in Rheumatology
- BioOhio
- Cancer Support Community Central Ohio
- Chronic Care Policy Alliance
- Chronic Disease Coalition
- Coalition of State Rheumatology Organizations
- Community Oncology Alliance
- Crohn's & Colitis Foundation
- Crohn's Colitis Foundation – Central Ohio
- Epilepsy Foundation
- Equitas Health
- Gaucher Community Alliance
- Global Healthy Living Foundation
- HIV+HEP Policy Institute
- Immune Deficiency Foundation
- Infusion Access Foundation
- Little Hercules Foundation
- Mental Health & Addiction Advocacy Coalition
- Mental Health America of Ohio
- National Alliance on Mental Illness – Ohio
- National Eczema Association
- National Hemophilia Foundation
- National Infusion Center Association
- National Multiple Sclerosis Society
- National Organization for Rare Disorders
- National Organization of Rheumatology Managers
- National Psoriasis Foundation
- Northern Ohio Hemophilia Foundation
- Ohio Academy of Nutrition and Dietetics
- Ohio Association of Rheumatology
- Ohio Bleeding Disorders Council
- Ohio Chapter, American Academy of Pediatrics
- Ohio Chapter of American College of Cardiology
- Ohio Chapter of the National Association of Pediatric Nurse Practitioners
- Ohio Dermatological Association
- Ohio Foot and Ankle Medical Association
- Ohio Hematology Oncology Society
- Ohio Osteopathic Association
- Ohio Pharmacists Association
- Ohio Psychiatric Physicians Association
- Ohio Psychological Association
- Ohio Sickle Cell and Health Association
- Ohio State Grange
- Ohio State Medical Association
- Pharmacists United in Truth & Transparency
- Pompe Alliance
- Rare Action Access Project
- Susan G. Komen Foundation
- The AIDS Institute
- The Academy of Medicine of Cleveland and Northern Ohio