

**November 29, 2022**

**RE: Testimony in support of HB 135**

**Dear Chairman Huffman, Vice Chairman Antani, Ranking Member Antonio, and Members of the Senate Health Committee,**

As a certified nurse practitioner in Boardman, Ohio, I would like to ask for your support for Ohio H.B. 135 – legislation to reform copay accumulator policies. These discriminating policies being used by insurers and pharmacy benefit managers prevent third-party financial assistance from applying to a patient's out-of-pocket for prescription medications.

In my work, I specialize in the field of arthritis related conditions and autoimmune disorders. I see patients from several surrounding counties, including Mahoning and Columbiana.

Ohio House members unanimously supported HB 135. The passage of this bill could help more than 1.5 million Ohioans access their prescription medications, including my patients and my family.

Rheumatology related conditions have no cures. My job is to try to slow down disease progression and help relieve the symptoms that often prevent my patients from living their most productive lives. There are only so many tools in our toolbox and some of those tools are prescription medications.

We appreciate lawmakers' efforts to lower the cost of prescription medications. To do this effectively, we must address health insurers and pharmacy benefit managers cost-containment strategies that include accumulator policies. Such policies come at the expense of my patients' health and financial well-being, and lead to faster progression and irreversible damage to the health of my patients. In addition, these policies only add to the burden of our already stressed healthcare system.

I ask that you please consider these important points as you consider H.B. 135:

**HB 135 DOES NOT raise Health Care Premiums for Employers**

The AIDS Institute, 2021 Health Plan Premium Rate Change Analysis: Arizona and Virginia, (February, 2021), <https://acrobat.adobe.com/link/track?uri=urn:aaid:scds:US:e00e2bb0-8c90-3913-a3b5-7e71d626b728>

**Copay assistance ensures that patients with more expensive, chronic conditions can afford their medicines even with the growing out-of-pocket costs that insurers require.** Copay accumulator adjustment policies remove that safety net. In 2022, 9 out of 10 payers in Ohio have discriminatory copay accumulators' programs. The AIDS Institute, "Discriminatory Copay Policies Undermine Coverage for People with Chronic Illness," 2022, [https://aidsinstitute.net/documents/final\\_TAI\\_2022-Report-Update\\_020122.pdf](https://aidsinstitute.net/documents/final_TAI_2022-Report-Update_020122.pdf)

**HB 135 DOES NOT** prohibit the use of generic medications by the health plans or PBM, nor does it require any health plan or PBM to cover a specific drug if third-party assistance is utilized by the patient.

**HB 135 DOES NOT** interfere with a health plan managing its drug coverage as it does under current law (HB 135 only requires that the value of third-party assistance from other sources be applied to reducing those out-of-pocket expenses).

**Punishing patients who rely on drugs without generic alternatives is not fair.** Insurance providers argue that co-pay assistance leads patients to choose brand name drugs over generic equivalents, leading to

higher overall prescription costs. However, 99.6% of co-pay assistance is used for branded drugs without a generic alternative. <https://primaryimmune.org/addressing-co-pay-accumulators>

I ask that you support HB 135, which has been passed by 16 legislatures and is being considered in more than a dozen others. Thank you for considering my position and I am hopeful for your support Ohio patients.

Sincerely,

Lauren Wire, CNP