

October 8, 2023

The Honorable Jason Stephens
Speaker, Ohio House of Representatives
1 Capitol Square
Columbus, OH 43215

RE: HB 177 – Patient Protections to Guard Against High Cost-Sharing for Prescription Drugs

Dear Speaker Stephens:

On behalf of the Lupus and Allied Diseases Association and the millions of Ohio residents both directly and indirectly affected by autoimmune conditions and other diseases of unmet need, **I urge the House Public Health Policy Committee to please support HB No. 177 an act to amend and enact the insurance code to prohibit certain health insurance cost-sharing practices and ask for a vote by the entire Ohio House of Representatives.**

Copay accumulators are a relatively new insurance benefit design being adopted by health insurance plans that prevent patients from using copay cards or coupons to cover their out-of-pocket expenses. This cost-shifting mechanism changes the way an insured individual's out-of-pocket contributions for prescription drugs are calculated. Copay accumulators do not consider any discounts or coupons that the insured person receives from the drug manufacturer when calculating the insured's out-of-pocket expenses and therefore do not count them toward the patient's maximum out-of-pocket limit.

This practice shifts the cost towards patients as the insurance plans are essentially "double dipping" by requiring the individual to pay their normal copay while still receiving a discount or coupon from the drug manufacturer, in turn causing the individual to take longer to satisfy their deductible. This unfair design is especially challenging for individuals with high deductible or high copayment requirements in their health insurance plans.

Given the current global healthcare crisis in which Ohio residents and others throughout the world are still experiencing hardship after dealing with the pandemic, individuals already struggling to manage their chronic and rare medical conditions are now facing the additional challenges of covering the cost of their medication and accessing appropriate healthcare. Copay coupons and cards provide financial relief to patients through manufacturer programs created to offset the cost sharing associated with certain treatments while assisting patients in meeting their maximum out-of-pocket limits. Copay assistance programs provide patient access to life-sustaining and lifesaving medication that would otherwise be unaffordable and promote treatment adherence.

Ohio has a longstanding record of providing access to affordable healthcare as well as some of the strongest patient protections in the country. The proposed legislation discontinues the use of copay accumulators statewide by requiring insurance companies and pharmacy benefit managers

to apply price reduction instruments for out-of-pocket expenses when calculating an insured individual's cost-sharing requirement.

The Lupus and Allied Diseases Association was founded in 1978 and is a national non-profit organization led by people with lupus and allied diseases and their loved ones who are dedicated to ensuring that the patient perspective is included and recognized as an equal stakeholder in the healthcare, regulatory and public policy arenas and across the research continuum. It is our goal to improve access to care and quality of life by fostering collaboration among stakeholders and by wielding the patient voice as a catalyst to advance innovative advocacy, education, awareness and biomedical research initiatives that will identify causes, advance better diagnostics, and discover superior treatments, and cures.

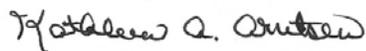
As patient stakeholders who represent patients and loved ones dealing with serious medical conditions on a daily basis who strongly support establishing essential patient protections that improve access to vital therapies, we strongly urge your support and passage of HB No. 177 to stop this unfair practice and to help individuals afford the medication they require to remain active. The urgent need for this legislation has only been intensified by the creation of copay maximizers, alternative funding programs and other obstacles to prescription assistance faced by Ohio families. **We urge the House Public Health Policy Committee and House of Representatives to support this legislation and stand with patients and the other 19 states that have passed legislation by prohibiting copay accumulators and requiring health insurance plans to count all dollars towards an insured individual's deductible.**

We must remain vigilant in protecting Ohio residents while promoting unfettered access to life-enhancing and lifesaving treatments.

Please contact me at 315-264-9101 or kathleen@ladainc.org if you have any questions.

We thank you for the opportunity to provide our unique patient viewpoint and your support of strong patient safeguards.

Respectfully Submitted-



Kathleen A. Arntsen
President & CEO