



October 11, 2023

The Honorable Scott Lipps, Chairman  
House Public Health Policy Committee  
77 South High Street, 13<sup>th</sup> Floor  
Columbus, Ohio 43215

Dear Chairman Lipps:

The Ohio Hematology Oncology Society (OHOS) and the Association for Clinical Oncology (ASCO) are pleased to support **HB 177**, which would take steps to protect patients with cancer in Ohio from copay accumulator programs. Committee passage of HB 177 would put Ohio one step closer to becoming the 20<sup>th</sup> state to ban harmful copay accumulator practices. We are encouraged by the recent ruling from the U.S. District Court for the District of Columbia vacating the provision from the 2021 federal rule authorizing copay accumulators in certain health plans; however, we know there is more work to be done, as this issue was remanded back to HHS for a final decision on how its regulations should address copay accumulator programs.

OHOS represents over 200 physicians specializing in the practice of Hematology and Oncology (blood disorders and cancer). OHOS is committed to promoting excellence in the care of patients afflicted with cancer and hematologic disorders in Ohio. ASCO is the world's leading professional society representing physicians who care for people with cancer. With nearly 50,000 members, our core mission is to ensure that cancer patients have meaningful access to high quality, equitable cancer care.

OHOS and ASCO are committed to supporting policies that reduce cost while preserving quality of cancer care; however, such policies should be developed and implemented in a way that does not undermine patient access. Copay accumulator programs target specialty drugs for which manufacturers often provide copay assistance. With a copay accumulator program in place, a manufacturer's assistance no longer applies toward a patient's co-pay or out-of-pocket maximum. This policy means that patients will experience increased out of pocket costs and take longer to reach required deductibles. By prohibiting these funds from counting toward patient premiums and deductibles, copay accumulators negate the intended benefit of patient assistance programs and remove a safety net for patients who need expensive specialty medications but cannot afford them.

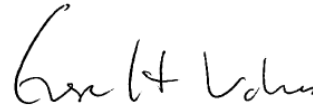
Copay accumulator programs lack transparency and are often implemented without a patient's knowledge or full understanding of their new "benefit." Far from being beneficial, copay accumulator programs increase the financial burden for patients, many of whom are facing life-threatening illness. The impact is especially hard on low-income populations. Increasing patient cost can contribute to medical bankruptcy and cause patients to discontinue care, seek non-medical alternatives—or forego treatment altogether. The result is poorer health outcomes and greater cost to the system.

OHOS and ASCO are encouraged that HB 177 takes steps toward eliminating copay accumulator programs in Ohio, and we urge the House Health Policy Committee to support the measure. For a more detailed understanding of our policy recommendations on this issue, we invite you to read the [ASCO Position Statement on Copay Accumulators](#) by our affiliate, the American Society of Clinical Oncology. Please contact Michelle Weiss at [mweiss@ohos.org](mailto:mweiss@ohos.org) or Aaron Segel at ASCO at [Aaron.Segel@asco.org](mailto:Aaron.Segel@asco.org) if you have any questions or if we can be of assistance.

Sincerely,

*Slobodan Stanisic, MD*<sub>MSW</sub>

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President  
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