



**Alliance for
Patient Access**

November 14, 2023

The Honorable Scott Lipps
Chair
Health Policy Committee
77 South High Street
Floor 13
Columbus, OH 43215

The Honorable Brian Stewart
Vice Chair
Health Policy Committee
77 South High Street
Floor 13
Columbus, OH 43215

The Honorable Beth Liston
Ranking Member
Health Policy Committee
77 South High Street
Floor 10
Columbus, OH 43215

Re: Support for HB 177 - Copay Accumulator Reform

Dear Chair Lipps, Vice Chair Stewart and Ranking Member Liston:

On behalf of the Alliance for Patient Access (AfPA), I am writing in support of HB 177, a bill that would ensure that all payments made to insurance companies for medicines, including those made with copay coupons, are applied to patients' out-of-pocket expense obligations. The bill will allow patients to continue using copay coupons to access their medications, while also being protected from surprise out-of-pocket costs.

Founded in 2006, AfPA is a national network of policy-minded health care providers who advocate for patient-centered care. AfPA supports health policies that reinforce clinical decision making, promote personalized care and protect the clinician-patient relationship. Motivated by these principles, AfPA members participate in clinician working groups, advocacy initiatives, stakeholder coalitions and the creation of educational materials.

Copay assistance coupons are often of critical importance for patients, particularly those with chronic or rare diseases. The coupons provide payment toward a patient's prescription copay requirements, helping increase access to treatment options. However, in recent years, many health plans have instituted a practice in which patient payments made using copay coupons are allowed for payment but then excluded from being counted towards a patient's annual deductible, or out-of-pocket cost limit. These practices are known as copay accumulator programs, and they can effectively limit access for patients. The prevalence of these programs continues to grow. Between 2019 and 2022, the utilization of copay accumulators for commercially insured patients rose from 14% to 33%.¹

¹ <https://www.formularywatch.com/view/iqvia-accumulator-and-maximizer-programs-are-growing>

At the same time, health plans have also moved to shift more costs to the patient by instituting coinsurance rather than copays. Coinsurance requires a beneficiary to pay a percentage of the list price of a medication, making the out-of-pocket costs significantly higher to a patient than that of a set copay medication. Copay coupons play an important and necessary role in assisting the patient as they are required to take on more health care costs.

Most drugs that have copay coupons available do not have any lower-cost generic alternative. For the few that do, the alternatives might not fit the patient's specific disease state, or the patient may have already tried and failed the alternative treatment.

Copay accumulator programs can hinder patient care by increasing out-of-pocket costs for patients, leading to patients – regardless of their health status – switching medications based on unforeseen expense. Patients may also abandon their medication altogether, as these programs can leave patients with unanticipated medical bills of hundreds or even thousands of dollars. These consequences put patients at risk for re-emerging symptoms and new side effects and place an undue burden on patients already managing complex conditions. Re-emerging symptoms and new side effects can lead to worsening conditions, leading to increased costs to the health care system via increased need for clinician and emergency room visits.

For more information about copay accumulators, please see AfPA's copay accumulator [position paper](#):

- Limit the use of copay accumulators.
- Require patient notification.
- Require transparency on patients' out-of-pocket costs.

Nineteen states and Puerto Rico have already passed copay accumulator reform legislation to help their residents. HB 177 will protect access by ensuring that all payments made on behalf of a patient – including those made using copay coupons – count toward that patient's out-of-pocket maximum. These reforms will protect patients from the surprise out-of-pocket costs associated with copay accumulator programs, support optimal patient health, and ensure the clinician-patient relationship remains intact.

On behalf of Ohio patients and the Alliance for Patient Access, we urge your support for HB 177 throughout the legislative process to ensure patients can access the treatments they need.

Sincerely,



Josie Cooper
Executive Director
Alliance for Patient Access