

The logo for the Ohio Association of Health Plans features a stylized lowercase 'i' on the left. The dot of the 'i' is a light blue circle. The stem of the 'i' is a vertical bar that is red on the left side and dark blue on the right side. To the right of the 'i' is the text 'Ohio Association of Health Plans' in a bold, red, sans-serif font.

Ohio Association of Health Plans

TO: Chairman Steve Huffman

FROM: The Ohio Association of Health Plans

DATE: June 12, 2024

SUBJECT: Sub. HB 73

On behalf of the Ohio Association of Health Plans (OAHP), thank you for the opportunity to offer written opponent testimony to Substitute House Bill 73 (Sub. HB 73), legislation that would likely result in avoidable poor health outcomes and unnecessary increase in health care costs.

OAHP is the state's leading trade association representing the health insurance industry. Our member plans provide health benefits to more than 9 million Ohioans through employer-sponsored coverage, the individual insurance market, and public programs such as Medicare, Medicaid, and the Federal Insurance Marketplace. Our members offer a broad range of health insurance products to Ohioans in the commercial marketplace and are committed partners in public programs.

OAHP has concerns with prescribers being able to prescribe medication that is not consistent with the latest clinical evidence and could result in avoidable poor health outcomes. These outcomes have large associated health and financial costs. For instance, if an Ohioan takes a medication that is not intended for human consumption and has an adverse reaction resulting in a 30-day hospital stay, health plans would be required to cover that hospital stay and associated expenses. This is in spite of the fact that a health plan would not cover or support the use of medication that did not follow current clinical evidence to treat the individual's illness. Ultimately, these unnecessary costs are paid by employers and individual purchasers of healthcare through increased premiums.

Further, Sub. HB 73 grants immunity from administrative or civil liability from any harm that may result from dispensing or using an off-label drug as described in the bill. This is particularly concerning, as these are checks and balances intended to protect patients from potential harm. With immunity from these requirements, what protections are there for Ohioans? OAHP questions the need for this language if the intent of the bill is to not cause harm to Ohioans.

Thank you for the opportunity to offer opponent testimony to Sub. HB 73. On behalf of the more than 9 million Ohioans to whom member plans provide health care coverage, we will continue to fight for safe, affordable, accessible health care for all Ohioans.