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April 26, 2016

The Honorable Anne Gonzales
Chair, House Health & Aging Committee
Ohio House of Representatives
77 S. High St.
Columbus, OH 43215

Dear Chair Gonzales,

At the October 14, 2015 meeting of the House Health & Aging Committee, I testified on behalf of the Ohio Chamber of Commerce in opposition to House Bill 248. HB 248, introduced by Reps. Nickie Antonio and Robert Sprague, is a health care mandate bill that requires all health insurance policies to include coverage for all abuse-deterrent opioid analgesic drugs. The chairman of the Ohio Chamber's Small Business Council also testified in opposition to the bill during this hearing.

In my testimony, I expressed two overriding concerns the Ohio Chamber has with the as-introduced version of the bill. The first is the general concern that HB 248 contains yet another health care mandate, which would be the 33rd mandate on the books in Ohio. The second is that it would further drive up the cost of health care for employers, particularly small businesses. This would be a result of the requirement in the bill that "any cost-sharing requirements for benefits (mandated by the bill) shall not exceed the lowest cost-sharing requirements applied to opioid analgesic drugs without abuse-deterrent properties."

In subsequent conversations with Rep. Sprague regarding this bill, he expressed an understanding of our concerns and a willingness to proceed in a good-faith effort to address them. Some of the bill's proponents have done the same.

Recently, Rep. Sprague shared with me a draft of the substitute version of HB 248 that is on the agenda to be considered by the Health & Aging Committee during its April 27, 2016 meeting. This substitute bill alleviates both of the Ohio Chamber's concerns. First, it removes the mandate, instead requiring that health insurance policies "provide access to abuse-deterrent opioid analgesic drug products in the drug formulary." The Ohio Chamber is convinced that a mandate is unnecessary due to the fact that the vast majority of – if not all – health plans already provide access.

Second, and even more significant, it removes entirely the code section that imposed cost-sharing requirements. This will relieve our major concern that HB 248 would have contributed to making health insurance plans more expensive for the employers who purchase them to cover their employees and their families.

The Ohio Chamber and its 8,000 member companies are acutely aware of the vicious heroin epidemic plaguing our state, which has its roots in the widespread use of prescription opioid painkiller drugs. We applaud Reps. Sprague and Antonio and the members of the General Assembly for actively pursuing legislative solutions, such as HB 248, to help address this problem.

That is why, with the compromises Rep. Sprague has made that are reflected in the substitute version of HB 248, the Ohio Chamber will no longer oppose the bill once the substitute is adopted. We thank the sponsor for consenting to these changes.

Sincerely,

A handwritten signature in black ink that reads "Keith Lake". The signature is written in a cursive, slightly slanted style.

Keith Lake
Vice President, Government Affairs

cc: Members of the House Health & Aging Committee
Speaker of the House Cliff Rosenberger
House Minority Leader Fred Strahorn