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November 9, 2020

The Honorable Scott Lipps, Chairman
Health Committee
Ohio House of Representatives
77 S High St, 13th Floor
Columbus, OH 43215

Re: HB 469 – Banning Copay Accumulator Adjustors - Support

Dear Chairman Lipps:

I write to express the Global Healthy Living Foundation's (GHLF) support of HB 469, and to ask for you to support this legislation, which would protect Ohio patients from copay accumulator adjustors. GHLF is a 20-year-old 501(c)(3) patient organization representing chronically ill patients and their caregivers across the country. GHLF works to improve the quality of life for patients living with chronic disease by making sure their voices are heard and advocating for improved access to care at the community level. Our patients suffer from chronic conditions including arthritis, psoriasis, gastrointestinal disease, cardiovascular disease and migraine.

Drug prices can be an arbitrary term to families and individuals living with chronic conditions; instead they realize the cost of medications in premiums, deductibles, copays, and coinsurance. Your constituents' out of pocket costs are determined by Pharmacy Benefit Managers (PBMs) and insurance companies' selection of preferred drugs that enhance their bottom line. If a child or adult in Ohio with a complex chronic disease wants to remain stable on the same medication, they are forced to meet the demands of fluctuating out of pocket costs with dramatic changes to formularies. Many manufacturers address the burden of out-of-pocket spending on patients by providing copay assistance coupons, which reduce the cost of medication for patients thereby allowing patients to remain on the therapy prescribed by their care providers. The manufacturer takes responsibility for much of the out of pocket cost set by the insurance provider or PBM.

Before attempting to apply a one size fits all approach to this legislation, it is important to consider that high deductible health plan (HDHP) offerings, co-insurance and high tiered formulary placement for high value specialty medications are what precipitated the need for these copay assistance programs. While ideally people would have different plan options to choose from, more often their only choice is a HDHP. Copay assistance programs have often become the only means for many patients to gain access to life saving therapies. **Typically, Ohio patients are able to meet their deductibles while using copay assistance programs, ensuring that when their coupons run out, they are still able to access their treatment without exorbitant copayments.** This enables patients to plan for their medical expenses, maintain their prescribed therapies, and stay in control of their health.

House Bill 469 would codify into law the idea that copay payments made using copay assistance programs count towards patients' deductibles and out of pocket maximums.

Without such protections, we have seen insurers not count money spent on medications not count towards a deductible resulting in higher costs for patients. This leads to decreases in medication adherence, increases prescription abandonment rates, and ultimately poor health outcomes.

People living with chronic conditions such as cancer, rheumatoid arthritis, epilepsy and chronic pain already face barriers to treatment options as the result of insurer cost-saving protocols. Many branded manufacturers currently provide significant rebates and discounts to payers to the tune of nearly \$60 billion in 2015. Often, these savings are not passed on to the enrollee. When allowing insurance providers to restrict copay assistance programs, it enables them to “double dip” by collecting money from both rebates and through high out of pocket costs imposed on patients.

The benefit provided by allowing Americans to use copay assistance programs to meet their deductibles are clear: insurance companies still receive their payments while those with chronic health conditions are able to access their treatments and retain autonomy over their healthcare spending. **We urge you, on behalf of our Ohio community members, to consider your constituents who rely on copay assistance programs to access their needed medications and support HB 469.**

Thank you for your consideration and we would be please to provide any further information that you need.

Sincerely,



Corey Greenblatt
Manager, Policy and Advocacy
Global Healthy Living Foundation

