



**Ohio Senate Public Testimony  
Health Committee**

November 30, 2022

Chair Stephen Huffman, Vice Chair Niraj Antani, and other members of the Health Committee,

My name is Dr. Rhea Debussy, and my pronouns are she/her. I'm the Director of External Affairs for Equitas Health. As you're likely aware, Equitas Health is a federally designated community health center and one of the largest LGBTQ+ and HIV/AIDS serving healthcare organizations in the country. Each year, we serve tens of thousands of patients in Ohio, Texas, Kentucky, and West Virginia, and since 1984, we have been working to advance "care for all."<sup>1</sup> I'm thankful for the opportunity to address you all today, and I'm here to provide testimony in support of HB 135, which prohibits certain health insurance cost-sharing practices and ensures greater protections for patients and families across Ohio.

As you all are aware, the health insurance cost-sharing practices that HB 135 bans are known as a co-pay accumulators.<sup>2</sup> Copay accumulators let health insurers refuse to count co-pay assistance programs and savings toward a patient's annual maximum out-of-pocket healthcare costs, and this proposed legislation seeks to prohibit that practice, when a patient doesn't have access to a more affordable generic drug. Given the cost of healthcare in this country, many patients across the state utilize such co-pay assistance programs for prescription drugs, which are increasingly available from drug manufacturers and others, and the use of such programs is especially common for patients who don't have access to a more affordable generic drug. Under current Ohio law, health insurance companies are allowed to ignore the savings that patients find, while also then gaining excess profits from people living with chronic illnesses.

As an agency, we have previously shared testimony related the practice of co-pay accumulators, and we were pleased to see its unanimous passage in the Ohio House of Representatives this past spring.<sup>3</sup> As a reminder, we are strongly in favor of legislation that prohibits health insurance companies from engaging in this practice, as it seeks to favor the interests of private health insurance companies over the needs of patients and their families. When considering the importance of HB 135 and the potential prohibition of this practice, Nick Saltsman, PharmD, RPh, AAHIVP (he/him), who is the Chief Pharmacy Officer at Equitas Health, noted the following:

"Equitas Health, like many other community health centers, cares for a disproportionate share of underinsured patients. While these patients have insurance coverage, many have high deductibles that

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<sup>1</sup> <https://equitashealth.com/about-us/>

<sup>2</sup> <https://www.healthaffairs.org/content/forefront/lawsuit-challenges-federal-copay-accumulator-policy>

<sup>3</sup> <https://www.dispatch.com/story/news/2022/03/31/ohioans-would-get-protection-making-health-insurance-copays-accumulators-rare-chronic-disease/7209047001/>

make their medications unaffordable. Manufacturer copay cards are an important tool that helps these underinsured patients receive lifesaving medications.”<sup>4</sup>

We are pleased that this legislation has continued to receive such widespread support, particularly since The AIDS Institute notes that “9 out of 10 insurers in Ohio have copay accumulator adjustment policies” that harm patients.<sup>5</sup> With that in mind, legislation, such as HB 135, would ensure that cost-saving measures are provided to patients, rather than health insurance companies. Such measures are quite important for people living with chronic illnesses, and more specifically, this is especially important to people who are living with HIV, people living with disabilities, people undergoing cancer treatments, and patients who need costly medications that do not yet have generic options.<sup>6</sup> In considering the impact of this legislation for people living with HIV, Nick Saltsman, PharmD, RPh, AAHIVP (he/him), who is the Chief Pharmacy Officer at Equitas Health, further shared that:

“The most important part of treatment for a patient living with HIV or AIDS is taking their medication as prescribed on a regular basis. One of the main reasons patients report not taking their medication as directed is the out-of-pocket cost. HB 135 helps make treatment affordable and allows patients to live a normal healthy life.”<sup>7</sup>

With all of this in mind, Equitas Health strongly supports HB 135, which prohibits copay accumulators and ensures greater protections for patients and families across Ohio. As such, we urge this committee to support the proposed legislation and to ensure that it advances to the floor of the Ohio Senate for a vote.

Respectfully submitted,

Rhea Debussy, Ph.D. (she/her)  
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<sup>4</sup> Quotation provided on November 16, 2022.

<sup>5</sup> [https://aidsinstitute.net/documents/TAI-2021-Copay-Accumulator-1pager\\_Ohio.pdf](https://aidsinstitute.net/documents/TAI-2021-Copay-Accumulator-1pager_Ohio.pdf)

<sup>6</sup> <https://ohiocapitaljournal.com/2020/02/13/a-new-battle-between-insurers-and-big-pharma-is-costing-sick-people-thousands/>

<sup>7</sup> Quotation provided on November 16, 2022.