

## **23 Patient Advocacy Organizations (names below) in Support of S0859**

May 13, 2021

Senator Joshua Miller  
Chairman, Senate Committee on Health and Human Services  
RI State House  
82 Smith Street  
Providence, RI 02903

### **RE: Written Testimony for S0859, An ACT RELATING TO INSURANCE – PRESCRIPTION DRUG BENEFITS**

Dear Chairman Miller,

We, the undersigned, want to express our support for S0859, a much-needed bill that will protect patient access to co-pay assistance programs many Rhode Islanders depend on to cover significant portions of prescription medicine co-pays. We thank you for co-sponsoring the legislation and scheduling today's hearing on this measure as this gives the patient advocacy community the opportunity to express how vitally important this bill is to many Rhode Islanders.

We also thank you for the past support you have provided patient advocates on this issue. In 2018, when legislation was initially introduced in your committee that would prevent patients from accessing co-pay assistance, you strongly supported patient advocates, meeting with many of the undersigned, seeking input and ultimately amending the legislation to protect patients. Last fall, a federal Notice of Benefit and Payment Parameters (NBPP) issued by the U.S. Department of Health and Human Services that made it clear that it is the responsibility of individual states to regulate copay accumulator adjustment programs. Following this notice, you again demonstrated your support for patients by meeting with many of us virtually to discuss the federal notice and its implication for patients. At the time of that meeting, four states, Virginia, West Virginia, Illinois, and Arizona, had enacted legislation to protect patients from high out of pocket costs by banning these accumulator adjustment programs, which render patient assistance coupons useless. Other states have since followed suit, including Georgia, Kentucky, and Oklahoma. Puerto Rico has enacted similar protections and a patient-friendly bill is awaiting the governor's signature in Tennessee.

Since the virtual meeting we had with you last September, the Connecticut Senate has advanced a measure comparable to S0859 and a similar bill is expected to be introduced in the Massachusetts legislature in the coming weeks. Many of us represent patients from Rhode Island, Connecticut and Massachusetts so having all three states protect access to co-pay assistance will help ensure uniform protection. This is especially important given the number of residents of each state that work in one of the neighboring states and are covered by health insurance plans regulated in those states.

We want to also express our gratitude to Senators Ciccone, Gallo, Goodwin and McCaffrey for joining you as co-sponsors of S0859.

The need for co-pay assistance for prescription medicine is especially critical for Rhode Islanders whose high deductible health insurance plans require them to spend thousands of dollars before their insurance kicks in. For many, this high-cost sharing requirement makes it impossible for them to afford medications needed to treat a range of chronic and sometimes rare diseases without the co-pay assistance offered by a number of pharmaceutical manufacturers and other organizations.

In introducing S0859, you and your fellow co-sponsors have taken an important step in codifying the protections patients needed to maintain access to co-pay assistance programs. As our state continues to recover from the

deadly impact of COVID-19, ensuring access to the medical care Rhode Islanders need has never been more important.

Our thanks again to you and your co-sponsors for your support of S0859. Some of us who have signed this letter will also be testifying virtually today to provide more details on how critically important co-pay assistance programs are for individuals with different types of chronic diseases.

Sincerely,

ALS Association RI Chapter  
American Cancer Society Cancer Action Network  
American Diabetes Association  
Arthritis Foundation  
Association for Clinical Oncology (ASCO)  
Brain Injury Association of Rhode Island  
Coalition of State Rheumatology Organizations  
Epilepsy Foundation New England  
Global Healthy Living Foundation  
Hemophilia Federation of America  
Infusion Access Foundation (IAF)  
Lupus and Allied Diseases Association, Inc.  
Mental Health Association of Rhode Island  
Multiple Sclerosis Association of America  
National Eczema Association  
National Infusion Center Association (NICA)  
National Multiple Sclerosis Society  
NAMI Rhode Island  
New England Bleeding Disorders Advocacy Coalition  
New England Hemophilia Association  
Patients Rising  
Susan G. Komen Foundation  
The AIDS Institute