

DATE: Tuesday May 9th, 2023

TO: **The Honorable Members of the Senate Health and Human Services Committee:**
Sen. Joshua Miller, *Chair* Sen. Bridget Valverde, *Vice Chair*
Sen. Valerie Lawson, *Secretary* Sen. Alana DiMario
Sen. Pamela Lauria Sen. Elaine Morgan
Sen. Linda Ujifusa

RE: **Support for Senate Bill 0799, An Act Relating to Insurance – Prescription Drug Benefits**

We wish to express our strong support for Senate Bill 0799, a much-needed bill that will protect patient access to co-pay assistance many Rhode Islanders depend on to cover significant portions of prescription medicine co-pays. We thank you for co-sponsoring similar legislation in the past, and for scheduling today's hearing on this measure as this gives the patient advocacy community the opportunity to express how vitally important this measure is to many Rhode Islanders.

First, we are grateful to our lead sponsor, the late Senate Minority Whip Maryellen Goodwin, and join the members of the committee in mourning her recent passing. We thank Chair Miller for co-introducing Senate Bill 0799 alongside Sen. Goodwin and look forward to working with together to pass this legislation during this session.

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, charitable organizations, and others. And many of these programs exist for drugs without generic alternatives.

Regrettably, health insurers have worked to block patient access to this much needed assistance. Over the last several years, an increasing number of health plans and pharmacy benefit managers have begun implementing copay accumulator adjustment programs to prevent third-party financial assistance from counting towards a patient's out-of-pocket obligation, essentially negating any benefit to the patient.

Senate Bill 0799 would remove existing barriers to copay assistance by requiring all payments made by patients—directly or on their behalf - be counted toward an individual's overall out-of-pocket maximum payment or deductible. Requiring health insurance carriers to do so will protect patients from surprise bills and treatment delays as well as allowing individuals to utilize the full benefit of co-pay assistance programs.

To date, 17 states as well as Puerto Rico have already stopped this discriminatory practice by passing legislation that bans accumulator policies – Arkansas, Arizona, Connecticut, Delaware, Georgia, Illinois, Kentucky, Louisiana, Maine, New Mexico, New York, North Carolina, Oklahoma, Tennessee, Virginia, Washington, and West Virginia.

Many of us represent patients in the neighboring states of Massachusetts and Connecticut. We are heartened that Connecticut recently passed and Massachusetts is currently considering similar legislation to ensure patient access to co-pay assistance. We hope the Rhode Island General Assembly will join our neighbors on this issue and ensure that all Rhode Islanders have access to their medication.

Some of us who have signed this letter will also be testifying to provide more details on how critically important co-pay assistance is for individuals with different types of chronic diseases. We strongly urge passage of Senate Bill 0799 and thank you once again for the opportunity to provide testimony today.

For more information contact:

Ryan Timothy Strik

Rhode Island Government Relations Director
American Cancer Society Cancer Action Network
Ryan.Strik@cancer.org
401-259-1052

Richard Pezzillo

Executive Director
New England Hemophilia Association
rpezzillo@newenglandhemophilia.org
401-338-1116

William Murphy

Director, Advocacy & Public Policy
Epilepsy Foundation of New England
wmurphy@epilepsynewengland.org
401-785-7153

RESPECTFULLY SUBMITTED BY:

Alliance for Patient Access
American Cancer Society Cancer Action
Network
American Diabetes Association
American Kidney Fund
Arthritis Foundation
Autoimmune Association
Brain Injury Association of Rhode Island
Crohn's & Colitis Foundation
Epilepsy Foundation of New England
Every Life Foundation for Rare Diseases
Gaucher Community Alliance
Hemophilia Federation of America
HIV & Hepatitis Policy Institute
Infusion Access Foundation
International Foundation for Autoimmune and
Autoinflammatory Arthritis

Lupus & Allied Diseases Association
Mental Health Association of Rhode Island
National Alliance on Mental Illness –RI
National Eczema Association
National Hemophilia Foundation
National Infusion Center Association
National Multiple Sclerosis Society
National Oncology State Network
National Psoriasis Foundation
New England Bleeding Disorders Advocacy
Coalition
New England Hemophilia Association
Patients Rising Now
Protect Our Healthcare Coalition – RI
Spondylitis Association of America
Susan G. Komen for the Cure
The ALS Association