

Insurance and Real Estate Committee

JOINT FAVORABLE REPORT

Bill No.: SB-1003

AN ACT PROHIBITING CERTAIN HEALTH CARRIERS AND PHARMACY
BENEFITS MANAGERS FROM EMPLOYING COPAY ACCUMULATOR

Title: PROGRAMS.

Vote Date: 3/22/2021

Vote Action: Joint Favorable

PH Date: 3/9/2021

File No.:

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SPONSORS OF BILL:

Sen. Martin M. Looney, 11th Dist.

Rep. Jillian Gilcrest, 18th Dist.

REASONS FOR BILL:

The bill addresses the concerns from patients who rely on co-pay assistance by allowing it to continue and be added to their deductibles. Many patients who suffer from chronic conditions pay high out of pocket costs for medications and heavily rely on co-pay assistance. This bill protects the affordability of medication for patients and protects them from co-pay accumulators.

RESPONSE FROM ADMINISTRATION/AGENCY:

Ted Doolittle, Office of the Healthcare Advocate agreed that a copayment accumulator programs are unfair and harmful to consumers. However, insurers have a legitimate concern that copayment assist programs steer patients into higher costing medications.

NATURE AND SOURCES OF SUPPORT:

Patricia Carroll, RN, MS, NPD-BC, RRT supports the bill because co-pay assistance removes the financial burden off working families who rely on medical assistance.

Suzi Craig, Chief Strategy Officer, Mental Health Connecticut supports the bill as co-pay assistance programs are critical for those who live with chronic conditions. It allows individuals to reduce out of pocket expenses and increase affordability for medications.

However, co-pay accumulators prevent individuals from using co-pay assistance in their deductibles which negates financial relief.

Laura Hoch, National Multiple Sclerosis Society supports the bill as a person with MS will spend three times as much out of pocket as the average person. The medications for treatment are very expensive and people often face a high deductible. This poses a serious challenge for people and urged the passage of the bill.

Bryte Johnson, CT Government Relations Director, American Cancer Society Cancer Action Network supports the bill as prohibiting cost-sharing for prescription drugs can cause patients to skip dosages, split pills and stop taking their medication entirely. This can cause serious health concerns and reduces the effectiveness of their treatment.

Michael Crain, MD, Radiology Chairman supports the bill and asked that third party payments be applied to a patient's deductible.

Connecticut State Medical Society supports the bill as it is a first step in addressing the detrimental impact of High Deductible Health plans and it provides a fair and equitable solution.

Michael Finley, State & Federal Government Relations Advocate, Epilepsy Foundation supports the bill as it will protect Connecticut citizen from precarious copay accumulator programs. Copay assistance plays a critical role in ensuring that epileptic patients have access to afford medication.

Lindsay Gill, Associate Director of State Policy and Advocacy, American Kidney Fund supports the bill because many patients depend on financial assistance for their specialty medications. Accumulator programs make it difficult if not impossible for patients to adhere to their treatments.

Matt J. Granato, LL.M., MBA, President & CEO, Pulmonary Hypertension Association as copay assistance has been necessary for many patients even those who use generic therapy in treating Pulmonary Hypertension.

Senator Martin Looney, President Pro Tempore, Connecticut General Assembly supports the bill as Co pay accumulator programs use patients as hostages in a battle of insurers, pharmacy benefit managers and pharmaceutical companies. He does not support taking more money from patients.

Dr. Stephanie R. Paulmeno, Old Greenwich, CT supports the bill as it is a public health issue when patients cannot afford medications. 1 in 10 Americans have a rare disease which impacts 300,000 CT residents. Insurance companies and PBM programs reap the benefits intended for patients.

Several Patient Advocacy Organizations support the bill as it is much needed to protect patient access to co-pay assistance programs:

- Alliance for Patient Access, Charles Husser
- American Kidney Fund, Lindsay Gill

- Arthritis Foundation, Steven Schultz
- Association for Clinical Oncology, Allison Rollins
- Chronic Care Policy Alliance, Lawrence LaMotte
- Coalition of State Rheumatology Organizations, Brian Henderson
- Connecticut Hemophilia Society, Meagan Murray
- Connecticut Oncology Association, Dawn Holcombe
- Epilepsy Foundation of Connecticut, Mike Finley
- Global Healthy Living Foundation, Corey Greenblatt
- Hemophilia Federation of America, Miriam Goldstein
- HIV + Hepatitis Policy Institute, Carl Schmid
- Susan G. Komen Foundation, Steven Raga
- National Alliance on Mental Illness Connecticut, Lisa Winjum
- National Eczema Association, Michele Guadalupe
- National Hemophilia Foundation, Nathan Schaefer
- National Psoriasis Foundation, Kristen Stiffler
- New England Bleeding Disorders Advocacy Coalition, Joe Zamboni
- New England Hemophilia Association, Rich Pezzillo
- Pulmonary Hypertension Association, Katie Kroner
- U.S. Pain Foundation, Cindy Steinberg

Richard Pezzillo, New England Hemophilia Association supports the bill as Hemophilia is a rare genetic condition that without treatment can cause internal bleeding and other health complications. Having coverage alone is not enough to cover medication costs and many patients rely on copay assistance program to afford to live. Hemophilia is a condition that has no generic alternative available making it a high cost condition. Five states have acted to restrict copay accumulators and urged CT to do so.

Steven Schultz, Director, State Legislative Affairs, Arthritis Foundation supports the bill and urged for reform regarding accumulator adjustment programs. This legislation is important as most patients are unaware, they are involved in the program until they must pay full price for their medication leading to delay or abandonment.

Mark Zatycka, New England Hemophilia Association, Patient supports the bill from his own personal experience with Hemophilia. He has suffered from a lot due to the condition and pays a lot for medication to be able to survive. Without medication the life expectancy is 30 years. He urged for the passage of the bill.

Jill Zorn, Senior Policy Officer, Universal Health Care Foundation of CT supports the bill as high deductible health plans become more common patients with chronic disease are challenged to afford their care. Patients rely on coupons and other discount programs to help them afford their medications until they reach their deductible or hit their max.

NATURE AND SOURCES OF OPPOSITION:

The Connecticut Association of Health Plans opposed the bill because coupons are used by pharmaceutical companies to induce patients to use brand name drugs instead of the generic brands. This usually is paid back to the drug company and not the insurance carrier. The passage of the bill will benefit drug companies at the long-term expense of consumers.

Sam Hallemeier, Director, State Affairs, PCMA opposed the bill as pharmacy benefit managers exist to make drug coverage more affordable by aggregating the buying powers of millions of enrollees through their sponsor/ payer clients. PBM's help consumers obtain lower prices through rebates and discounts. Drug manufactures steer patients into more expensive brand drugs through coupons instead of a cheaper alternative. Copay coupons target only those who already have prescription drug coverage and are not designed to help the poor or uninsured.

Reported by: Christina Cruz

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