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March 20, 2019

The Honorable Governor Jim Justice
Office of the Governor, State Capitol
1900 Kanawha Blvd. E
Charleston, WV 25305

Re: HB 2770 – Banning Copay Accumulator Adjustors - *Support*

Dear Governor Justice:

The Global Healthy Living Foundation (GHLF) writes in support of HB 2770, which would protect West Virginia patients from rising healthcare costs due to copay accumulator adjustors.

GHLF is a 20-year-old 501(c)(3) patient organization reaching millions of chronically ill patients and their caregivers across the country through social media, community events and our online support and education. 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.

House Bill 2770, which passed both the House and Senate *unanimously*, would ensure that money spent using copayment assistance would count toward a patient's deductible and out of pocket maximum. This will lead to an increase in medication adherence, and a decrease in prescription abandonment rates, creating better health outcomes for West Virginians.

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 often determined by Pharmacy Benefit Managers (PBMs) and insurance companies whose selection of preferred drugs is not always in the patients' best interests. If a child or adult in West Virginia 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. These allow consumers with complex conditions to remain stable on the therapy prescribed by their care providers because the manufacturer takes responsibility for much of the out of pocket cost set by the insurance provider or PBM.

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 than not in the current marketplace the only choice is an HDHP. Copay assistance programs have become the only means for many patients to access their life-saving therapies. Typically, West Virginians are able to meet their deductibles while using copay assistance programs, ensuring that when their coupons run out, they will have met

their deductible and can continue 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. HB 2770 locks this protection in place.

People living with chronic conditions such as cancer, rheumatoid arthritis, epilepsy and others 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 is clear: insurance companies still receive necessary 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 West Virginia community members, to sign HB 2770 into law.

Thank you for your consideration and we would be pleased to provide further information at your request.

Sincerely,

A handwritten signature in black ink, appearing to read 'Corey Greenblatt', with a stylized, cursive script.

Corey Greenblatt
Manager, Policy and Advocacy
Global Healthy Living Foundation

