



PRESS RELEASE

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Bipartisan Bill Makes Drugs More Affordable by Ensuring Copay Assistance Counts

Biden Administration Can Also Help Solve Patient Drug Affordability Crisis

Washington DC... Today, Congressmen Donald McEachin (D-VA) and Rodney Davis (R-IL) introduced bipartisan legislation to ensure that copay assistance for prescription drugs are counted towards a beneficiary's cost-sharing obligations. The "[Help Ensure Lower Patient Copays Act](#)" would ban a cruel practice implemented by insurance companies that accept a patient's copay assistance but does not apply it to the patient's deductible and out-of-pocket cost obligations. This leaves the patient with potentially thousands of dollars in unanticipated costs.

"Healthcare is already expensive and when insurers add additional barriers and costs, such as not counting copay assistance towards a patient's deductible, patient costs significantly increase, jeopardizing medication adherence and their health," said **Carl Schmid, executive director** of the **HIV+Hepatitis Policy Institute**. "We thank Congressmen McEachin and Davis for their bipartisan leadership to ensure copay assistance counts and urge the bill's swift adoption by the Congress."

Elected officials across the country are responding to the outcries from patients who depend on prescription drugs to stop this growing practice by insurers and pharmacy benefit managers. To date, [12 states and Puerto Rico](#) have passed laws to protect patients by requiring that the copay assistance they receive counts. This piecemeal approach takes time and does not apply to the entire private insurance market, making it even more urgent for Congress to act.

At the same time, the Biden administration can provide immediate relief to patients through regulation. While bold steps have been taken to reduce premiums, there has not been parallel action to address patient cost-sharing, particularly high deductibles and high co-insurance for prescription drugs. As the Biden administration drafts the *2023 Notice of Benefits and Payment Parameters Rule*, expected to be released in the upcoming weeks, they can require

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insurers to count copay assistance. They also need to take steps to make certain that insurers implementing policies that limit copay assistance are transparent in their plan documents instead of burying them.

“As people begin to select their health plan for next year, it is critical that they carefully review their options. While the cost of monthly premiums is a key factor, if they rely on costly prescription drugs, people should consider additional insurance benefit design factors such as deductibles, co-insurance, and whether copay assistance counts. People in several states now have the assurance that the copay assistance they receive will count. Hopefully in the near future, that same assurance will be applied across the country,” concluded **Schmid**.

In 2020, drug manufacturer copay assistance for patients totaled \$14 billion, according to [data from IQVIA](#).

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The **HIV+Hepatitis Policy Institute** is a national, non-profit organization whose mission is to promote quality and affordable healthcare for people living with or at risk of HIV, hepatitis, and other serious and chronic health conditions.