

Patient Community Perspective

*Carl Schmid
Executive Director
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*Aimed Alliance Copay Accumulators 101
February 9, 2022*

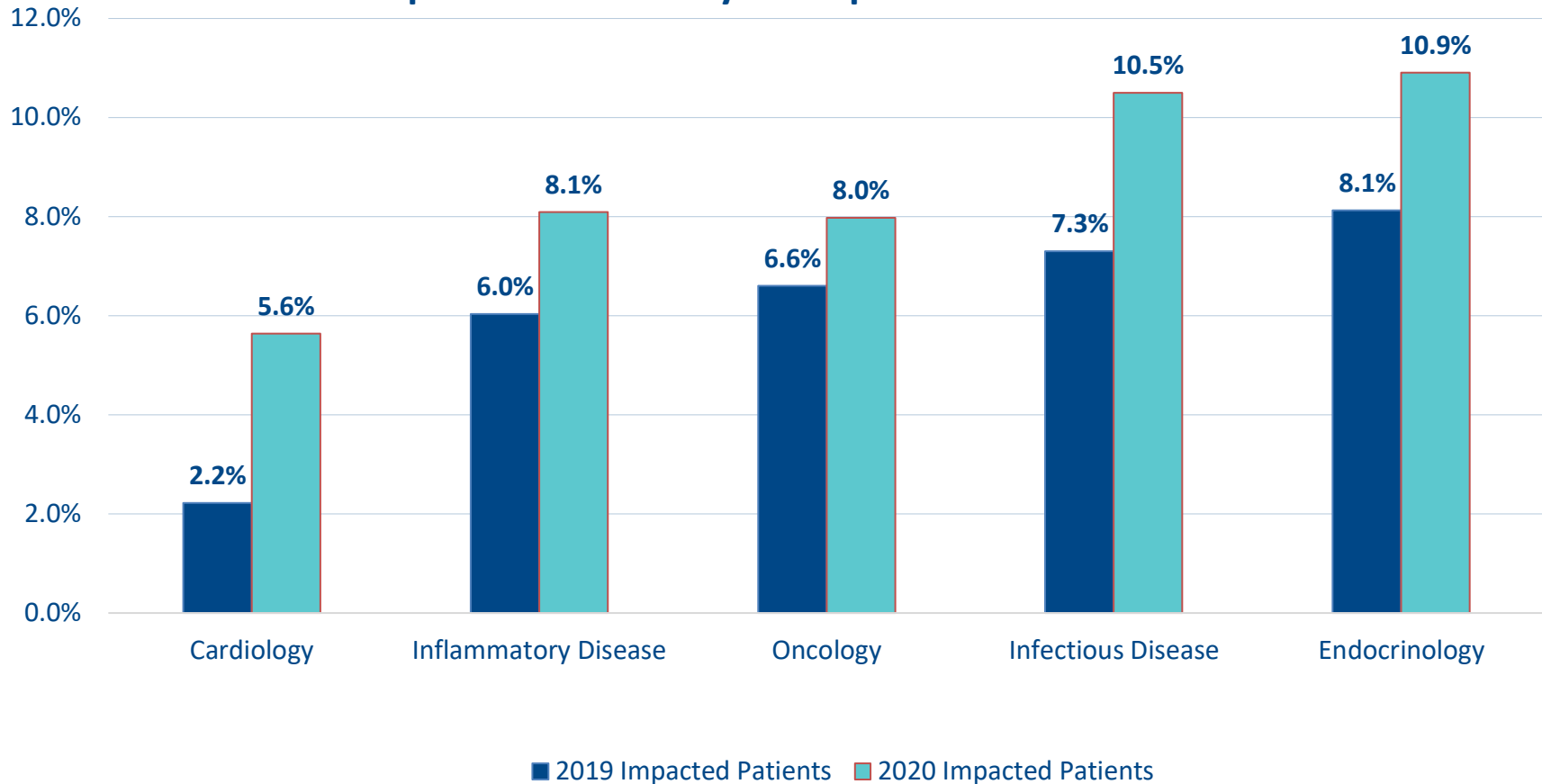


Outline of Comments

- ▶ Impact of Copay Accumulators on Patients
- ▶ Federal & State Action to Date
- ▶ Advocacy Opportunities
 - Federal
 - State

Patients Impacted by Accumulators Continues to Increase

Impacted Patients by Therapeutic Class: 2019 to 2020



25% - 36% of commercially insured patients that face a copay surprise of \$1,500 or greater are likely to discontinue therapy

Patients in plans with accumulator adjustment programs will likely face a copay surprise of \$1,500 or greater after reaching the copay card cap, as they will not have made progress towards meeting their deductible or annual out-of-pocket maximum

Discontinuation Rate by Copay Surprise Cohort and Product

LAAD Data, Commercial Patients Only, 2018-2020 YTD *



* 2020 data through April
Source: Healthcare.gov; IQVIA LAAD data; IQVIA US Market Access Strategy Consulting analysis

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Impact on Patients

- ▶ **Patients w/ copay accumulator programs discontinue their Rx's much more often than those w/o them**
- ▶ **People w/ HIV discontinue their Rx's 2.6 times as often if subject to an accumulator**
- ▶ **Cost-sharing assistance reduces patient abandonment 90% across HIV, hepatitis B and hepatitis C & patients are 5 to 19% more adherent than those not using assistance.**

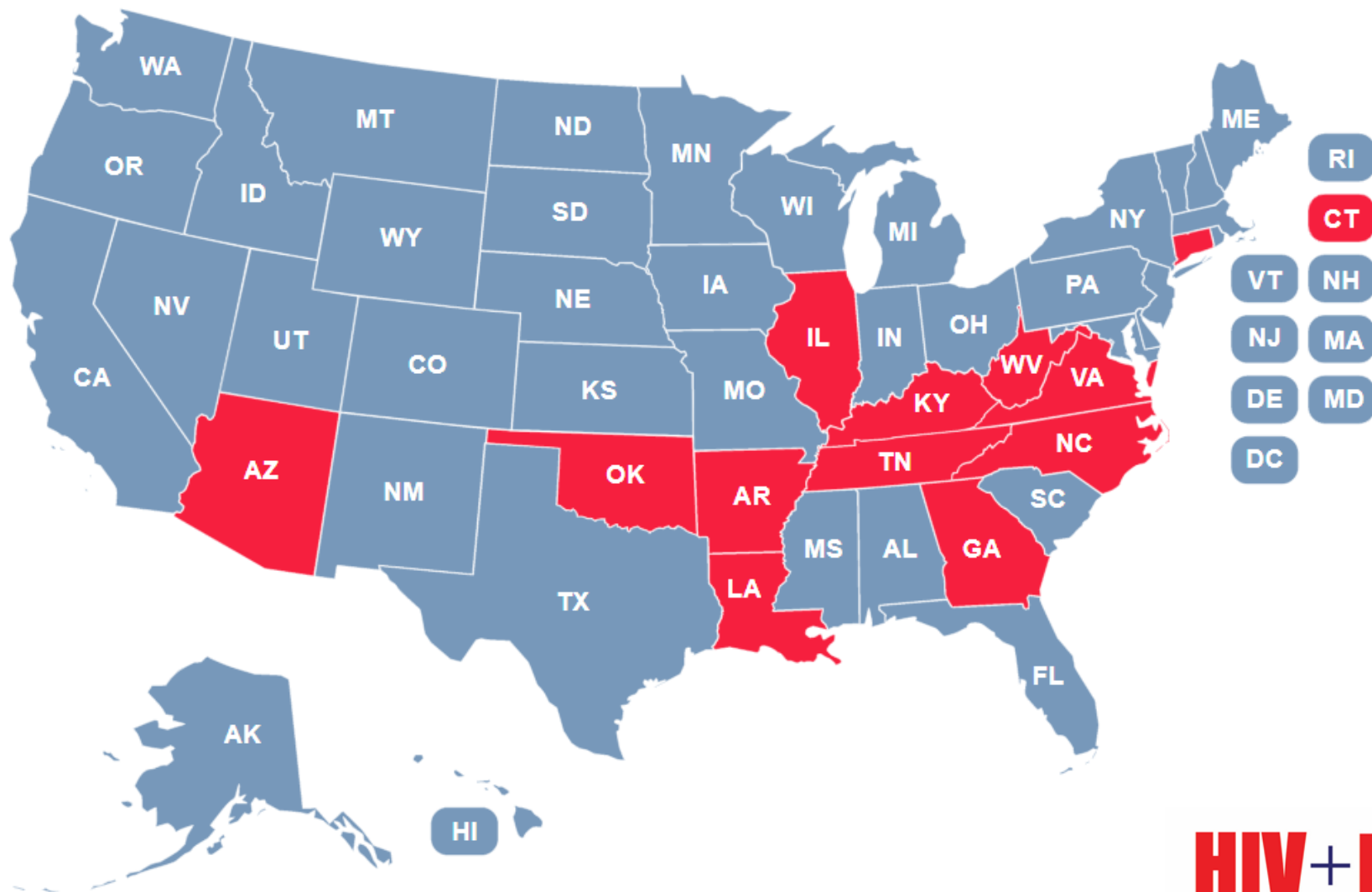
Based on an analysis of Commercial patients, including HIX, that utilized copay cards from Jan. 2018-Aug. 2021. Conducted by IQVIA, US Market Access Strategy Consulting and Analytics, Dec. 2021. All rights reserved. Copyright 2021.

Federal Government Can Solve Issue

▶ Annual Notice of Benefit and Payment Parameters Rule

- 2020: copay assistance must count in most situations
 - May limit for brand name Rx when generic exists
 - Suspended August 2019
- 2021: Rule Allowed Copay Accumulators
 - But allows states to decide
- 2022: No mention
- 2023: No mention (Proposed Rule)

State Enacted Laws



Source: Aimed Alliance

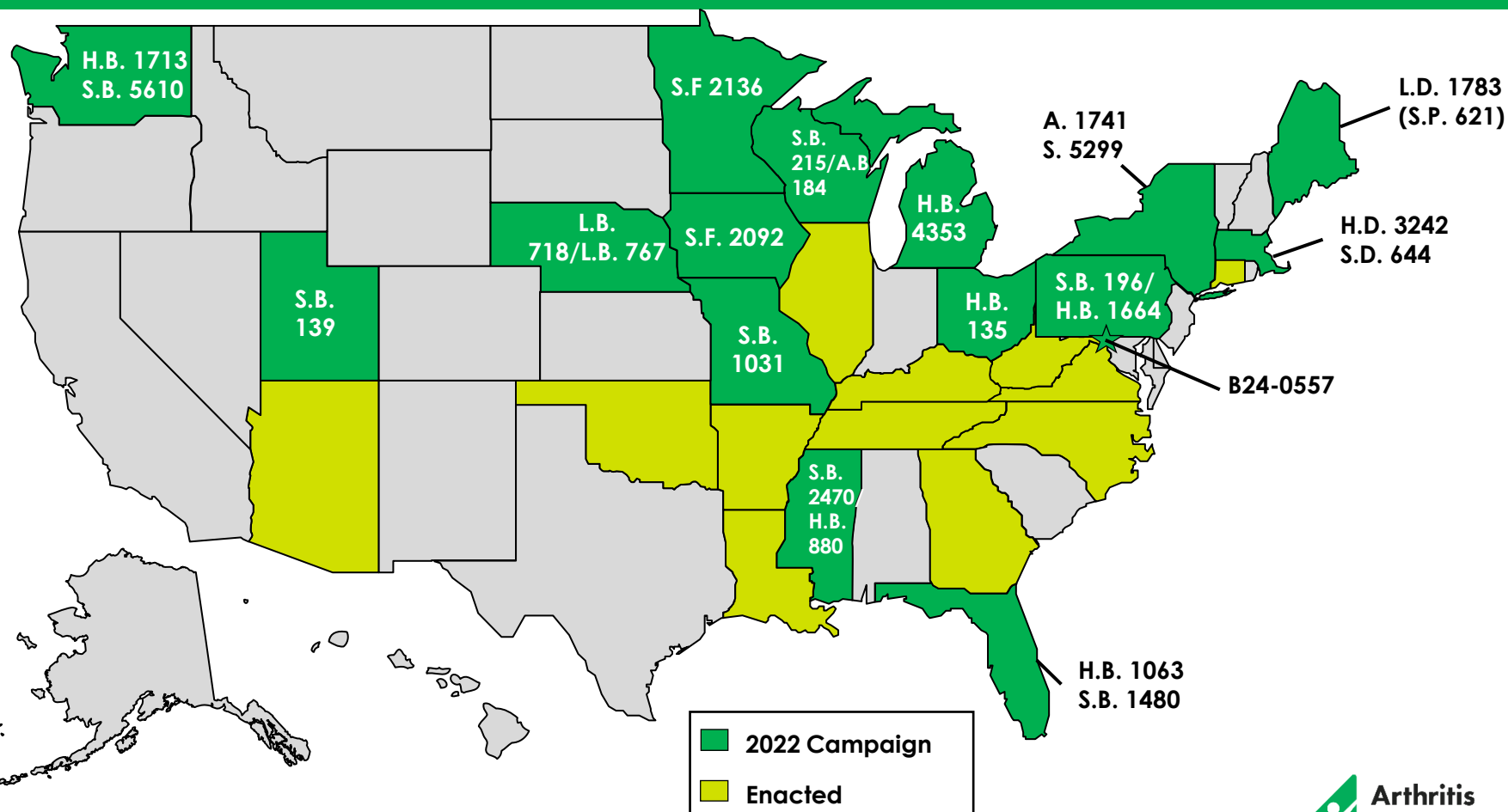
All Copays Count State Model Language

When calculating an enrollee's overall contribution to any out-of-pocket maximum or any cost-sharing requirement under a health plan, a [CARRIER/INSURER/ISSUER] or pharmacy benefit manager shall include any amounts paid by the enrollee or paid on behalf of the enrollee by another person.



States with Active Legislation to Address Accumulator Adjustment Programs

February 2022



Congressional Response (HR 5801)



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McEachin, Davis Introduce Bipartisan Legislation to Prevent Increased Prescription Drug Costs

November 1, 2021 | Press Release

Washington, D.C. – Today, Congressman A. Donald McEachin (VA-04) and Congressman Rodney Davis (IL-13) introduced the Help Ensure Lower Patient (HELP) Copays Act to protect patients from increased out-of-pocket prescription drug costs.

The bipartisan bill builds on previous efforts to lower out-of-pocket (OOP) costs for patients by prohibiting the use of copay accumulator programs, ensuring insurers cannot exclude the value of pharmaceutical manufacturer cost-sharing assistance from counting toward an enrollee's annual cost-sharing limit.

"Access to life-saving prescription drug medications should not be complicated by undue financial barriers," said Rep. McEachin (VA-04). "As Americans continue navigating the coronavirus pandemic, we must take steps to protect them from undue out-of-pocket expenses. I am proud to



About the All Copays Count Coalition

The All Copays Count Coalition (ACCC) includes the AIDS Institute, the Arthritis Foundation, the Cancer Support Community, the National Hemophilia Foundation, the National Multiple Sclerosis Society, the Immune Deficiency Foundation, and more than 60 other groups serving the interests of patients with chronic and serious health conditions that rely on copay assistance in various forms to make medically necessary drug treatments affordable.

► [Membership Form](#)



January 27, 2022

The Honorable Xavier Becerra
U.S. Department of Health and Human Services
200 Independence Avenue, SW
Washington, DC 20201

The Honorable Chiquita Brooks-LaSure
Centers for Medicare & Medicaid Services
U.S. Department of Health and Human Services
200 Independence Avenue SW
Washington, DC 20201

Re: Comments on *HHS Notice of Benefit and Payment Parameters for 2023* Proposed Rule, CMS-9911-P
RIN 0938-AU65

Dear Secretary Becerra and Administrator Brooks-LaSure:

We appreciate the opportunity to comment on the Health and Human Services' (HHS) proposed 2023 Notice of Benefit and Payment Parameters (NBPP) rule. The 126 organizations signing this letter represent millions of people living with serious, complex chronic illness in the United States. The Biden administration has made progress increasing access to health care and coverage, but more is needed to ensure that people living with chronic illness are able to get the ongoing care they need. We are extremely disappointed that the proposed 2023 NBPP rule does not include any reference to copay accumulator adjustment policies, which financially benefit insurance issuers and pharmacy benefit managers while making crucial treatments unaffordable for patients. *We strongly urge you to address this issue in the final rule by requiring that insurers and Pharmacy Benefit Managers (PBMs) count all copayments made by or on behalf of an enrollee toward the enrollee's annual deductible and out-of-pocket limit.*

January 27, 2022

The Honorable Xavier Becerra
Secretary
U.S. Department of Health and Human Services (HHS)
Hubert H. Humphrey Building
200 Independence Avenue SW
Washington, D.C. 20201

**RE: Comments on *Notice of Benefits and Payment Parameters for 2023* Proposed Rule
[CMS-9911-P]**

Dear Secretary Becerra:

We, the undersigned 51 organizations, on behalf of millions of patients and American consumers who live with complex conditions such as HIV, autoimmune diseases, cancer, diabetes, lupus, hemophilia, mental illness, and hepatitis, write to comment on the *Notice of Benefits and Payment Parameters for 2023* Proposed Rule. The patients we represent appreciate all you are doing to make healthcare more accessible and affordable for beneficiaries. While there are several components of the proposed rule that many of us will comment on elsewhere, this letter focuses on those issues that impact access and affordability of prescription drugs.

All Copays Count Coalition

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All Copays Count Coalition

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▶ Model Language for State Legislation

Thank you!

Carl Schmid

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