

April 4, 2018

Christine Gonzales-Ferrer  
Rulemaking Coordinator  
Department of Regulatory Agencies  
1560 Broadway, Suite 110 D  
Denver, CO 80202

Dear Mrs. Gonzales-Ferrer:

On behalf of the patient communities we serve, we have reviewed the proposed Colorado permanent rule 4-2-58 NON-DISCRIMINATORY COST-SHARING AND TIERING REQUIREMENTS FOR PRESCRIPTION DRUGS, for which public notice of a rulemaking hearing was given on February 28. We submit this letter for the Division of Insurance's consideration as our public comment on the proposed rule. Our position is one of support for a policy that will now carry greater legal weight in helping patients find more affordable access to prescription drug benefits.

Our organizations recognize the importance of having affordable coverage options for our patients, especially when it comes to prescription drug access. Thanks to innovative new treatments, diseases that were once fatal are now being treated as chronic conditions. But these breakthrough treatments can be out of reach for many patients if large, upfront deductibles and high monthly coinsurance are the norm.

We support Colorado's efforts to adopt a permanent rule promoting copayment-only coverage options on the individual marketplace. Patients will be guaranteed the opportunity to choose plans that do not involve the upfront shock of a high deductible, and benefit from knowing the precise cost-share for their medication. This enables them to more effectively map out their healthcare budget for the year. Initial data showed that premiums for these plans have not been significantly different from other plans sold on the marketplace, which also benefits patients seeking affordable coverage options.

Looking ahead, we encourage Colorado regulators to monitor the impact of the rule to ensure that it continues to yield improved medication access for marketplace consumers. We also encourage Colorado regulators to keep a close watch on how prescription drug benefits are otherwise structured across the marketplace: in particular, we hope that practices such as adverse tiering will not be used to reduce the value of copayment-only coverage options.

We look forward to the adoption of these proposed regulations, and appreciate your consideration of our comments. If you have any questions about our remarks, please contact Dana Bacon of the Leukemia & Lymphoma Society at [dana.bacon@lls.org](mailto:dana.bacon@lls.org) or 612.308.0479.



**Arthritis Foundation**



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**Crohn's & Colitis Foundation**



**Leukemia & Lymphoma Society**



**National Organization for Rare Disorders**



**National Psoriasis Foundation**