

All Copays Count Coalition

May 5, 2020

Secretary Alex Azar
U.S. Department of Health and Human Services
200 Independence Avenue SW
Washington, DC 20201

Re: Reconsidering Cost Sharing Provision in 2021 Notice of Benefit & Payment Parameters under COVID-19 Circumstances

Dear Secretary Azar,

During this unprecedented public health emergency, the All Copays Count Coalition (ACCC) would like to thank you for all that you are doing to ensure health plans have the flexibility they need to adapt and respond to beneficiaries' needs amidst this global COVID-19 pandemic, which is creating a healthcare crisis like never before seen in this country.

The COVID-19 pandemic is necessitating extraordinary efforts by all Americans to reduce the spread of the virus and minimize the loss of life. As we continue through this first wave of the pandemic, we are already witnessing the broad effects this crisis is having not only on the health of individuals and families, but also on their economic well-being.

Record breaking unemployment figures indicate that millions of American families will be forced to make tough financial decisions, such as delaying health care-related expenditures in favor of putting food on the table. Under the best of circumstances, delaying or forgoing treatment can lead to severe and costly health consequences for the patients represented by the ACCC. In this unprecedented time, it also may put them at greater risk of dying from COVID-19 and place greater burden on an already overtaxed health care system.

In light of these concerns, we urge HHS to reconsider the proposed provision in the 2021 Notice of Benefit Payment Parameters that grants issuers the discretion not to count drug copayment assistance towards a member's annual cost sharing, regardless of whether a generic exists.

The Coalition urgently requests that you not finalize §156.130(h) as proposed, and uphold the patient protections intended by the Affordable Care Act by keeping in place the Notice of Benefit & Payment Parameter provision finalized in May 2019. This will guarantee patients can access their prescription medications without undue financial burden. Copay assistance can provide a lifeline for many individuals during these uncertain times.

We look forward to working with you to ensure patient access to needed medications. Should you have any questions please do not hesitate to contact the following ACCC steering committee members: Kim Calder kcalder@nmss.org; Kim Czubaruk kczubaruk@cancersupportcommunity.org; Anna Hyde ahyde@arthritis.org; Rachel Klein rklein@taimail.org; or Kollet Koulianos kkoulianos@hemophilia.org.

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Respectfully,

Adrenal Insufficiency United
The AIDS Institute
Aimed Alliance
American Autoimmune Related Diseases Association
American Kidney Fund
American Liver Foundation
Arthritis Foundation
Axis Advocacy
Bridge the Gap - SYNGAP Education and Research Foundation
Cancer Support Community
CancerCare
Chronic Disease Coalition
Coalition for Hemophilia B Inc.
Coalition of State Rheumatology Organizations
Danny's Dose Alliance
Epilepsy Foundation
Fabry Support & Information Group
GBS|CIDP Foundation International
Good Days
Hemophilia Federation of America
HIV + Hepatitis Policy Institute
Immune Deficiency Foundation
Lupus Foundation of America
METAvivor
MLD Foundation
Multiple Sclerosis Association of America
National Hemophilia Foundation
National Multiple Sclerosis Society
National Organization for Rare Disorders
National Pancreas Foundation
National Psoriasis Foundation
Patient Access Network (PAN) Foundation
Patient Services, Inc.
Project Sleep
Pulmonary Hypertension Association
Spondylitis Association of America
U.S. Hereditary Angioedema Association
United for Charitable Assistance
US Hereditary Angioedema Association