

APPENDIX: PRESCRIPTION DRUG OUT-OF-POCKET COSTS

STATE	Deductible Protection		Per Rx Protection		Standardized Plan Designs	Separate Annual Rx Limit	Ban on Accumulator Adjustment Programs	Total Number of Protections	Overall Grade	Subset of State-Regulated Plans Rx Protections Apply to (Not Graded, Included for Informational Purposes Only)	Statutes
	No Rx Deductible	Separate Rx Deductible	Cost-Sharing Cap	Fixed Copays							
AL	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	F	N/A	N/A
AK	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	F	N/A	N/A
AZ	N/A	N/A	N/A	N/A	N/A	N/A	Yes	1	C	N/A	HB 2166 (2019)
AR	N/A	N/A	N/A	N/A	N/A	N/A	Yes	1	C	N/A	HB 1569 (2021)
CA	N/A	Yes	Yes; \$250/\$500 per drug cap per month, post-deductible.	N/A	Yes	N/A	N/A	3	A	Entire State-Regulated Market	AB 339 (2015)
CO	Yes; for at least 25% of plans.	N/A	Yes; Co-pay cannot be higher than 1/12th of the annual maximum out-of-pocket for a single drug.	Yes; No fewer than 25% of the plans offered for each metal level (Platinum, Gold, Silver and Bronze) must contain a copayment-only payment structure at all drug tiers.	Yes; to be implemented in 2023.	N/A	N/A	3	A	Partial Subset of State-Regulated Market	Bulletin B4.82 and Final Rule 4-2-58 (2015) 4-2-58 Final Rule for 2022
CT	N/A	Yes	Yes; Cost-sharing amount shall not exceed 50% of plan benefits.	N/A	Yes	N/A	Yes	4	A	Entire State-Regulated Market	Bulletin HC-154 (2018) SB 1003 (2021) Access Health CT
DE	N/A	N/A	Yes; \$150 cap per prescription drug, post-deductible.	N/A	N/A	N/A	N/A	1	C	Entire State-Regulated Market	SB 35 (2013)
DC	N/A	N/A	Yes; \$150 cost-sharing limit per speciality drug, post-deductible.	N/A	Yes	N/A	N/A	3	A	Entire State-Regulated Market	B21-0032 (2017) DC Standard Plans 2022
FL	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	F	N/A	N/A
GA	N/A	N/A	N/A	N/A	N/A	N/A	Yes	1	C	N/A	SB 313 (2020)
HI	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	F	N/A	N/A
ID	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	F	N/A	N/A

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IL	N/A	N/A	N/A	Yes; Flat dollar copayment structure to the entire drug benefit, pre-deductible. (Effective January 1, 2023)	N/A	N/A	Yes	1	C	Partial Subset of State-Regulated Market	PA 101-452 (2019) HB 1745 (2021)
IN	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	F	N/A	N/A
IA	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	F	N/A	N/A
KS	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	F	N/A	N/A
KY	N/A	N/A	N/A	N/A	N/A	N/A	Yes	1	C	N/A	SB 45 (2021)
LA	N/A	N/A	Yes; \$150 cap per prescription drug per month, post-deductible.	N/A	N/A	N/A	Yes	2	B	Entire State-Regulated Market	SB 165 (2014) SB 94 (2021)
ME	N/A	Yes	N/A	N/A	Yes	\$3,500	N/A	2	B	Entire State-Regulated Market	Maine Insurance Code
MD	N/A	N/A	Yes; \$150 cap per prescription per month, post-deductible.	N/A	N/A	N/A	N/A	1	C	Entire State-Regulated Market	HB 761 (2014)
MA	N/A	N/A	Yes	Yes	Yes	N/A	N/A	3	A	Entire State-Regulated Market	SMA Health Connector
MI	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	F	N/A	N/A
MN	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	F	N/A	N/A
MS	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	F	N/A	N/A
MO	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	F	N/A	N/A
MT	Yes	N/A	N/A	Yes; Each insurer is required to offer at least one plan with pharmacy benefits that are fixed dollar co-payments.	N/A	N/A	N/A	2	B	Entire State-Regulated Market	RWJF HIX Data
NE	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	F	N/A	N/A
NV	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	F	N/A	N/A
NH	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	F	N/A	N/A

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NJ	N/A	Yes; Limited to \$250 for formulary and \$250 for non-formulary drugs.	Yes; \$150/\$250 cap per prescription per month, pre-deductible cap for 25% of plans.	N/A	N/A	N/A	N/A	2	B	Partial Subset of State-Regulated Market	A 2431 (2020) NJ Insurance Code
NM	N/A	N/A	N/A	N/A	Yes; To be implemented in 2022	N/A	N/A	1	C	Entire State-Regulated Market	HB 100 (2020)
NY	N/A	N/A	Yes, no speciality tiers.	Yes; The standard benefit design limits co-payments per tier and metal level.	Yes	N/A	N/A	3	A	Entire State-Regulated Market	S. 5000 (2010)
NC	N/A	N/A	N/A	N/A	N/A	N/A	Yes	1	C	N/A	SB 257 (2021)
ND	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	F	N/A	N/A
OH	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	F	N/A	N/A
OK	N/A	N/A	N/A	N/A	N/A	N/A	Yes	1	C	N/A	SB 92/HB 2678 (2021)
OR	N/A	N/A	N/A	N/A	Yes	N/A	N/A	1	C	Entire State-Regulated Market	OR Standardized Health Benefit Plan Summary
PA	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	F	N/A	N/A
RI	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	F	N/A	N/A
SC	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	F	N/A	N/A
SD	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	F	N/A	N/A
TN	N/A	N/A	N/A	N/A	N/A	N/A	Yes	1	C	N/A	HB 619/SB 1397 (2021)
TX	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	F	N/A	N/A
UT	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	F	N/A	N/A
VT	N/A	Yes	N/A	N/A	Yes	Yes	N/A	3	A	Entire State-Regulated Market	H.559 (2012)
VA	N/A	N/A	N/A	N/A	N/A	N/A	Yes	1	C	N/A	H 2515 (2019)
WA	N/A	N/A	N/A	N/A	Yes	N/A	N/A	1	C	Entire State-Regulated Market	SB 5526 (2019)
WV	N/A	N/A	N/A	N/A	N/A	N/A	Yes	1	C	N/A	HB 2770 (2019)
WI	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	F	N/A	N/A
WY	N/A	N/A	N/A	N/A	N/A	N/A	N/A	0	F	N/A	N/A

RUBRIC - PRESCRIPTION DRUG OUT-OF-POCKET COSTS

GRADE	Out-of-Pocket Protections
A	State has at least three or more Out-of-Pocket protections in state-regulated insurance markets.
B	State has at least two Out-of-Pocket protections in state-regulated insurance markets.
C	State has at least one Out-of-Pocket protection in state-regulated insurance markets.
D	N/A
F	State has no Out-of-Pocket patient protections in state-regulated insurance markets.

Prescription Drug Out-of-Pocket Costs Sources:

- 1) State Access to Innovative Medicines (SAIM) Coalition. "Legislation by State." <https://www.saimcoalition.org/saim-legislation-by-state/>
- 2) Kai Yeung, Pharm.D., Ph.D.; Douglas Barthold, Ph.D.; Stacie B. Dusetzina, Ph.D.; and Anirban Basu, Ph.D.; *The New England Journal of Medicine*, "Patient and Plan Spending after State Specialty-Drug Out-of-Pocket Spending Caps" August 2020. <https://www.nejm.org/doi/pdf/10.1056/NEJMsa1910366>
- 3) Gabriela Dieguez; Jennifer Carioto; and Sally Maraldo; Milliman, Inc.. "Comparing policies that limit pharmacy out-of-pocket expenses in the commercial fully-insured market." September 2020. <https://www.medinsight.milliman.com/-/media/milliman/pdfs/2020-articles/articles/comparing-policies-limit-pharmacy-out-of-pocket-expenses-9-20v3.ashx>
- 4) Sabrina Corlette; Chiquita Brooks-LaSure; State Health and Value Strategies (SHVS). "Standardizing Health Plan Benefit Design in the Individual Market: Opportunities and Implications." November 2019. <https://www.shvs.org/wp-content/uploads/2019/10/Standardized-Health-Plan-Benefit-Design-in-the-Individual-Market.pdf>
- 5) Sabrina Corlette; Ashley Williams; and Justin Giovannelli; The Commonwealth Fund. "State Efforts to Reduce Consumers' Cost-Sharing for Prescription Drugs." November 2015. <https://www.commonwealthfund.org/blog/2015/state-efforts-reduce-consumers-cost-sharing-prescription-drugs>