



Co-Sponsor S 1375/HR 830 the Help Ensure Lower Patient (HELP) Copays Act

Introduced by Representative Carter (R-GA), Representative Barragan (D-CA), Senator Kaine (D-VA), and Senator Marshall (R-KS), this bill seeks to end the discriminatory practice of copay accumulators by ensuring that all copays count toward a patient's cost sharing requirements, regardless of their source.

What is a copay accumulator?

To help address the skyrocketing costs of specialty medicines, many pharmaceutical companies and others are offering financial assistance to help low-income patients meet their health insurance copayments and deductibles. Insurance companies and pharmacy benefit managers are often refusing to count this assistance toward patient cost sharing requirements. When this happens the insurance company "accumulates" the copayment or deductible twice – once from the assistance program and then again from the patient.

How do copay accumulators harm patients?

In a typical scenario, a low-income patient who needs access to a high-cost specialty medication will seek assistance from outside organizations. Once they receive assistance, they can obtain their medications – at least until the assistance runs out. When this happens, the patient expects their health insurance to cover the rest of the costs. They are surprised when their insurer informs them that they must now meet their cost sharing requirement over again. These draconian policies cause grave hardship for those who can least afford it, the low-income chronically ill. All too often, copay accumulators lead to patients abandoning treatment.

By the numbers:

Copay accumulators programs are a growing problem: A recent [study](#) showed that 83% of commercial insurance enrollees belong to plans that have implemented copay accumulator programs.

Copay accumulators harm the most vulnerable: [69%](#) of patients who receive copay assistance earn less than \$40,000 a year.

Increased Copays lead to abandoned treatments: Copays higher than \$250 a month have been shown to [significantly impede](#) patient access to needed medications.

What would the HELP Copays Act do?

- ❖ Clarify the Affordable Care Act (ACA) definition of cost sharing by requiring that all payments made "by or on behalf of" patients count towards their deductibles or out-of-pocket maximum and,
- ❖ Close the essential health benefit loophole in the ACA, clarifying that any item of service covered by a health plan is considered "essential."