



## THE NEED

Many people turn to patient assistance programs including co-pay assistance from pharmaceutical manufacturers to afford their medications. Thankfully, Senator Jimmy Harris championed a bill that successfully passed the Louisiana Legislature in 2021 to ensure health insurers and pharmacy benefit managers (PBMs) attribute these assistance tools to the patient's deductible.

To ensure patients are protected, we urge you to add a "savings clause" in the event a state law banning an Accumulator Adjustment Program would result in loss of Health Savings Account-eligibility for High Deductible Health Plans. Inclusion of the savings clause language in the Accumulator Adjustment Program ban bill will:

- Prevent the state law from jeopardizing patients' eligibility to contribute to Health Saving Accounts.
- Ensure that cost-sharing assistance will count toward out-of-pocket obligations once patients satisfy the minimum deductible set by IRS for High Deductible Health Plans.
- Ensure that payments made by or on behalf of the patient will continue to count toward out-of-pocket costs for items and services identified by the IRS as preventive care, even if patients have not yet met the IRS minimum deductible.

Patients living with chronic and rare diseases are vulnerable and depend on copayment assistance programs to afford their specialty medications – with many facing thousands of dollars in out-of-pocket costs. This cost burden poses a significant challenge in accessing needed medications.

## THE SOLUTION

Barriers to medication access must be eliminated for patients. To lower patients' out-of-pocket costs at the pharmacy counter, we must enact additional protections for third-party cost-sharing assistance into law.

We urge Louisiana policymakers to explore policies that will directly impact patients' out-of-pocket costs at the pharmacy counter, and ensure patient assistance programs count towards their annual deductible or out-of-pocket max.

SB 366 will offer additional protections to patients by adding a savings clause to protect a patients' eligibility to contribute to an HSA and ensures that cost-sharing assistance will count toward out-of-pocket obligations.

