

All Copays Count Coalition: Bipartisan group of 42 legislators introduces bill to put WI patients first

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MADISON, WI, March 16, 2023 –State Senator Andrei Jacque and State Representative Paul Tittl, along with more than 40 of their Republican and Democratic colleagues, introduced the *All Copays Count* legislation ([AB 103/SB 100](#)) to improve patient access and affordability to prescription medications. *All Copays Count* legislation is one of the most bipartisan initiatives in the 2023-24 legislative session and has nearly four times the number of supporters since its previous introduction in the last session, from 11 cosponsors to 42. AB 103/SB 100 is also backed by over 40 patient and provider advocacy organizations that make up the *Wisconsin All Copays Count Coalition*.

Background: AB 103/SB 100 & Harmful Copay Accumulator Policies

- **Insurers in Wisconsin are implementing harmful copay accumulator policies** that don't count the value of copay assistance toward a patient's annual deductible or out-of-pocket maximum. These policies act as a barrier to patient care and treatment access.
- In this scenario, insurers still collect the financial assistance intended for patients at the pharmacy counter and redirect that financial assistance to themselves, **essentially double dipping into financial assistance meant for patients in need.**
- A 2023 report from The AIDS Institute found that **8 out of 13 commercially available insurance plans in Wisconsin** are implementing copay

accumulator policies.

- (AB 103/SB 100) would ensure that commercial health plans and PBMs in Wisconsin **count the value of copay assistance toward patient cost-sharing requirements** while still allowing insurers to retain plan design flexibility.
- This legislation only applies to prescription medications that have been approved by the health plan and available to their patients and if there is not a medically appropriate generic equivalent available to the patient, **removing the argument that financial assistance drives patients toward higher cost medications.**
- **To date, 16 states and Puerto Rico have passed legislation that requires health insurers to count the value of copay assistance** towards patient's cost-sharing responsibilities. An analysis from the Global Healthy Living Foundation (GHLF) shows that the rate of health insurance premium increases has not changed since the passage of state laws requiring that patient assistance funds count toward patients' or policy holders' deductibles or out-of-pocket maximum payments.

What They're Saying: Patient Advocates Applaud Bipartisan Initiative

"All Copays Count legislation has overwhelming bipartisan support because it presents a clear solution to ensure vulnerable patients can benefit from copay assistance to adhere to their prescribed medications," said Rob Gundermann, President and CEO of the Coalition of Wisconsin Aging and Health Groups (CWAG) and lead member of the *Wisconsin All Copays Count Coalition*. "A majority of commercial health plans in Wisconsin include policies that don't count copay assistance towards patient's cost-sharing requirements. We thank the cosponsors of the bipartisan All Copays Count legislation for taking action to ensure Wisconsin patients can access the medications they need to survive, just like the other 16 states that have protected their patients by passing similar legislation."

"As a patient, I am tired of being in this limbo of not knowing when or how my copay assistance will count for me," said Annette Huston, a multiple sclerosis patient from Stevens Point. "I worry that at any moment, my health plan could change their policy and I would be stuck in a hopeless situation."

About the *Wisconsin All Copays Count Coalition*:

The *Wisconsin All Copays Count Coalition* is comprised of over forty national and Wisconsin-based patient, provider, and physician groups serving the interests of patients with chronic and serious health conditions that rely on copay assistance to access critical medications.

Coalition members include Allergy & Asthma Network, ALS Association, Alzheimer's Association, American Association of Clinical Urologists, Inc. (AACU), American Cancer Society - Cancer Action Network, American Diabetes Association, American Kidney Fund, American Medical Association (AMA), Arthritis Foundation, Association for Clinical Oncology (ASCO), Autoimmune Association, BioForward Wisconsin, Coalition of State Rheumatology Organizations (CSRO), Coalition of Wisconsin Aging & Health Groups (CWAG), Community Liver Alliance (CLA), Gaucher Community Alliance (GCA), Great Lakes Hemophilia Foundation, Hemophilia Federation of America (HFA), HIV+HEP Policy Institute, Infusion Access Foundation, ICAN, International Cancer Advocacy Network, International Foundation for Autoimmune & Autoinflammatory Arthritis (IFAA), Little Hercules Foundation, Lupus and Allied Diseases Association, Inc., Lupus Foundation of America, National Eczema Association, National Hemophilia Foundation, National Infusion Center Association (NICA), National Multiple Sclerosis Society, National Psoriasis Foundation, Prevent Blindness Wisconsin, Pulmonary Hypertension Association (PHA), Sixteenth Street, Spondylitis Association of America, Susan G. Komen, Vivent Health, Wisconsin Association of Hematology and Oncology, Wisconsin Association of Osteopathic Physicians & Surgeons, Wisconsin Medical Society, Wisconsin Nurses Association (WNA), Wisconsin Primary Health Care Association, and Wisconsin Rheumatology Association (WRA).

More information about copay accumulators and the *Wisconsin All Copays Count Coalition* can be found at: <https://www.wi4patients.com>.