

Wisconsin All Copays Count Coalition: Applauds Colorado and Texas for enacting legislation to protect patient access to prescription medications, urges Wisconsin to be next to ensure copay assistance counts

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MADISON, WI, June 16, 2023 - The *Wisconsin All Copays Count Coalition* commends the legislatures and governors of Colorado and Texas for enacting legislation to ensure that health plans and pharmacy benefit managers (PBMs) count the value of copay assistance toward a patients' annual deductible. Democratic Colorado Governor Jared Polis signed Senate Bill 23-195 on June 5th, and Republican Texas Governor Greg Abbott signed House Bill 999 this past Saturday, June 10th. Both bills had overwhelming bipartisan support; the Colorado legislation passed both houses by a combined 89-10 margin and the Texas legislation passed both houses by a 171-5 margin.

Momentum continues to shift towards patients on this issue. In Texas, even the Texas Association of Health Plans registered neutral on the legislation. In her [testimony](#), the CEO of the Texas Association of Health Plans recognized the need for patients to have access to copay assistance. Similar to legislation proposed in Wisconsin ([SB 100/AB 103](#)), both Colorado Senate Bill 23-195 and Texas House Bill 999 contained language that ensures patients are not incentivized away from generic drugs.

A majority of insurers in Wisconsin have implemented harmful copay accumulator policies that don't count the value of copay assistance toward a patient's annual deductible. 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.

Earlier this year, Senator Andrei Jacque and Representative Paul Tittl introduced AB 103 and SB 100, bipartisan legislation that now has 50 cosponsors (a 158% increase in cosponsors since last session's bill), that would improve patient access and affordability to prescription medications. This legislation would ensure that commercial health plans and PBMs in Wisconsin count the value of copay assistance toward patient cost-sharing requirements. To date, 19 states and Puerto Rico have passed legislation that requires health insurers to count the value of copay assistance toward patients' cost-sharing responsibilities.

"We commend the legislatures and governors of Colorado and Texas for passing and enacting critical legislation to ensure copay assistance counts for patients," 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*. "Right now, a majority of commercial health plans in Wisconsin include policies that don't count copay assistance towards patient's cost-sharing requirements. We urge members of the Wisconsin legislature to follow the example set by Colorado, Texas and 17 other states that have taken action to preserve the value of copay assistance."

About the *Wisconsin All Copays Count Coalition*:

The *Wisconsin All Copays Count Coalition* is comprised of nearly 50 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.

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