

NORTH DAKOTA

33.3% of marketplace plans in NORTH DAKOTA have copay accumulator adjustment policies that harm patients.

HOUSE BILL 1216 is sponsored by Rep Karls

A BILL for an Act to create and enact a new section to chapter 26.1-36 of the North Dakota Century Code, relating to out-of-pocket expenses for prescription drugs; and to amend and reenact section 26.1-36.6-03 of the North Dakota Century Code, relating to self-insurance health care plans.

To help support this bill, contact Rep Karls

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North Dakota gets a C because Medica has a copay accumulator adjustment policy.

Medica is **harming patients** by including these policies.

The Issue

Copay accumulator adjustment policies undermine important patient protections and make it more difficult for people trying to manage a chronic illness to afford medicines they need.

Health insurance companies and pharmacy benefit managers (PBMs) pocket copayments made for enrollees using third-party copay assistance but don't credit the payments to the enrollee's annual deductible or out-of-pocket limit.

The Solution

State regulators and policymakers need to ensure that patients are protected.

The insurers that still include copay diversion policies must end this practice immediately. And North Dakota legislators can protect their constituents with chronic illnesses by joining other states by enacting legislation to protect residents from the harmful practices of copay accumulator and copay maximizer policies.

Such legislation would ensure all those living in North Dakota with state-regulated insurance plans are protected.

In addition to new North Dakota's law, a federal rule requires all private health insurance plans, including marketplace and employer-sponsored health plans, to count copay assistance toward patient cost-sharing limits in most cases. The plans listed above have copay diversion policies contrary to this rule. North Dakota insurance regulators can ensure health insurers and pharmacy benefit managers comply with federal rules.

The HELP Copays Act is a federal bill that would enact these same protections in federal law to protect people living with chronic illness with individual and employer health plans. Senators and Members of Congress from North Dakota should support this patient-centered legislation and urge its enactment.

More About Copay Accumulator Adjustment Policies and Vulnerable Patients

Millions of Americans with serious and complex chronic illness endure long and expensive medical journeys to diagnose their condition and find the best medicine to treat it. But when those medicines are considered "specialty medications," their cost can be prohibitive, even with insurance. That's why many people turn to copay assistance programs to help afford their share of the cost.

Copay accumulator adjustment and copay maximizer policies allow insurers and pharmacy benefit managers (PBMs) to keep payments made on an enrollee's behalf without counting those payments toward the enrollee's annual deductible or out-of-pocket limit. These policies undermine access to lifesaving prescription drugs for people living with serious, complex, chronic illnesses.

Read the full report from The AIDS Institute here: www.theaidsinstitute.org/copays