

## Wolf, Sheldon

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**From:** Lee, Judy E.  
**Sent:** Wednesday, March 22, 2023 2:22 PM  
**To:** Wolf, Sheldon  
**Subject:** FW: HB 1413 Co-Pay accumulator information  
**Attachments:** ACCC\_MythFact\_11.18.pdf

Do you think this can be loaded?

Senator Judy Lee  
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**From:** Lacey Anderson <lacey@birchgroupnd.com>  
**Sent:** Wednesday, March 22, 2023 9:05 AM  
**To:** Lee, Judy E. <jlee@ndlegis.gov>; Cleary, Sean <scleary@ndlegis.gov>; Clemens, David <dclemens@ndlegis.gov>; Hogan, Kathy L. <khogan@ndlegis.gov>; Roers, Kristin <kroers@ndlegis.gov>; Weston, Kent <kweston@ndlegis.gov>  
**Subject:** HB 1413 Co-Pay accumulator information

Members of Senate Human Services-

A couple of your members requested additional information on the copay accumulator bill, so I felt it best to share with all of you.

Below are a few links (as well as an attachment) regarding copay accumulators (policies put in place by some insurance companies to avoid applying cost sharing assistance to patients' deductibles). It includes myths v. facts and the numerous groups and states supporting this legislation (if proposed amendments are adopted).

<https://allcopayscount.wpengine.com/state-legislation-against-copay-accumulators/>

You'll find that in a number of the states that have passed this legislation, there has been no fiscal note. Practically speaking, there should not be. Where the money comes from for the drug should not be factored in by insurance to set premiums. Putting a large fiscal note on the bill has been a common tactic by insurance in other states to kill the bill. However, if there are concerns about a fiscal note, this bill could be amended to only apply to private insurance.

I also found this analogy given in testimony in Missouri helpful:

*It's like your son or daughter being accepted to a university that costs \$40K a year and receiving a scholarship from a third party for \$20K a year. When you arrive they tell you they will not accept the scholarship on your behalf. However, they then keep the scholarship money and charge you the full \$40K.*

Despite some confusion in committee, this is what is happening in many instances.

Here is a link to the over 80 non-profit, non-partisan patient groups supporting this legislation:

<https://allcopayscount.org/about-us/>

In addition, both the Insurance Commissioner and LC have said this legislation is not a mandate. I believe they are going to follow up with the committee.

I hope the links and information are helpful. There is lots of additional information out there as well. I'm happy to chat further.

Thanks,  
Lacee



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