All Copays Count Coalition

May 5, 2020

Secretary Alex Azar
U.S. Department of Health and Human Services
200 Independence Avenue SW
Washington, DC 20201

Re: Reconsidering Cost Sharing Provision in 2021 Notice of Benefit & Payment Parameters under COVID-19 Circumstances

Dear Secretary Azar,

During this unprecedented public health emergency, the All Copays Count Coalition (ACCC) would like to thank you for all that you are doing to ensure health plans have the flexibility they need to adapt and respond to beneficiaries' needs amidst this global COVID-19 pandemic, which is creating a healthcare crisis like never before seen in this country.

The COVID-19 pandemic is necessitating extraordinary efforts by all Americans to reduce the spread of the virus and minimize the loss of life. As we continue through this first wave of the pandemic, we are already witnessing the broad effects this crisis is having not only on the health of individuals and families, but also on their economic well-being.

Record breaking unemployment figures indicate that millions of American families will be forced to make tough financial decisions, such as delaying health care-related expenditures in favor of putting food on the table. Under the best of circumstances, delaying or forgoing treatment can lead to severe and costly health consequences for the patients represented by the ACCC. In this unprecedented time, it also may put them at greater risk of dying from COVID-19 and place greater burden on an already overtaxed health care system.

In light of these concerns, we urge HHS to reconsider the proposed provision in the 2021 Notice of Benefit Payment Parameters that grants issuers the discretion not to count drug copayment assistance towards a member's annual cost sharing, regardless of whether a generic exists.

The Coalition urgently requests that you not finalize §156.130(h) as proposed, and uphold the patient protections intended by the Affordable Care Act by keeping in place the Notice of Benefit & Payment Parameter provision finalized in May 2019. This will guarantee patients can access their prescription medications without undue financial burden. Copay assistance can provide a lifeline for many individuals during these uncertain times.

We look forward to working with you to ensure patient access to needed medications. Should you have any questions please do not hesitate to contact the following ACCC steering committee members: Kim Calder kcalder@nmss.org; Kim Czubarauk kczubaruk@cancersupportcommunty.org; Anna Hyde ahyde@arthritis.org; Rachel Klein rklein@taimail.org; or Kollet Koulianos kkoulianos@hemophilia.org.

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Respectfully,

Adrenal Insufficiency United

The AIDS Institute

Aimed Alliance

American Autoimmune Related Diseases Association

American Kidney Fund

American Liver Foundation

Arthritis Foundation

Axis Advocacy

Bridge the Gap - SYNGAP Education and Research Foundation

Cancer Support Community

CancerCare

Chronic Disease Coalition

Coalition for Hemophilia B Inc.

Coalition of State Rheumatology Organizations

Danny's Dose Alliance

Epilepsy Foundation

Fabry Support & Information Group

GBS | CIDP Foundation International

Good Days

Hemophilia Federation of America

HIV + Hepatitis Policy Institute

Immune Deficiency Foundation

Lupus Foundation of America

METAvivor

MLD Foundation

Multiple Sclerosis Association of America

National Hemophilia Foundation

National Multiple Sclerosis Society

National Organization for Rare Disorders

National Pancreas Foundation

National Psoriasis Foundation

Patient Access Network (PAN) Foundation

Patient Services, Inc.

Project Sleep

Pulmonary Hypertension Association

Spondylitis Association of America

U.S. Hereditary Angioedema Association

United for Charitable Assistance

US Hereditary Angioedema Association