



May 10, 2023

The Honorable Roger Marshall, M.D. (R-KS)  
United States Senate  
Washington, DC 20510

The Honorable Tim Kaine (D-VA)  
United States Senate  
Washington, DC 20510

Senator Lisa Murkowski (R-AK)  
United States Senate  
Washington, DC 20510

Senator Ed Markey  
United States Senate  
Washington, DC 20510

Senator Joni Ernst (R-IA)  
United States Senate  
Washington, DC 20510

Dear Senators Marshall, Kaine, Murkowski, Markey, and Ernst:

The 84 undersigned organizations of the All Copays Count Coalition (ACCC), extend their gratitude for your leadership and commitment to protecting vulnerable patients in introducing S. 1375, the Help Ensure Lower Patient Copays Act (HELP Copays Act). We pledge to work with you to ensure that this common-sense, bipartisan legislation becomes law.

The ACCC represents individuals living with serious, chronic health conditions for whom ongoing and continuous access to treatment is essential. However, despite having insurance that is supposed to protect from high, unexpected medical costs, these individuals are facing multiple barriers to the therapies they need to treat their conditions which can leave them with untenable medical debt and unacceptable delays in treatment. Once they've overcome hurdles such as prior authorization and step therapy and are approved for the medication their doctors prescribe, patients face skyrocketing deductibles and steep cost-sharing requirements. With no other options to afford the medicine they need, many patients turn to charitable or manufacturer copay assistance to afford their drugs. Unfortunately, many insurers are taking this assistance intended for patients and not counting it towards a patient's deductible and out-of-pocket maximum. This presents another significant barrier for patients and can result in unexpected bills that can reach thousands of dollars. Unfortunately, as our patients can attest, this has all too often left them in a precarious position, having to choose between paying for their medicines and other necessities like rent or groceries.

This two-part solution in the HELP Copays Act will eliminate barriers to treatment for some of the most vulnerable Americans—those who live with serious, complex chronic illness—ensuring that they can afford the necessary and often life-saving medications prescribed by their providers. Specifically, the bipartisan HELP Copays Act:

- Requires health plans to count the value of copay assistance toward patient cost-sharing requirements. This would bring much-needed relief to financially vulnerable individuals by

ensuring that all payments—whether they come directly out of a patient’s pocket or with the help of copay assistance—count towards their out-of-pocket costs.

- Closes a loophole that allows many employer health plans to deem certain covered drugs as “non-essential,” which means that the insurer will not count any cost-sharing toward the patient’s deductible and out-of-pocket maximum. Your bill will require all private plans to count all cost-sharing for covered services to accrue to a patient’s deductible and out-of-pocket maximum.

Together, these practices undermine coverage for pre-existing conditions, hurt patient access to necessary medications, decrease drug adherence, and even cost our health care system more money. We are committed to working in partnership with you to ensure that the HELP Copays Act becomes law, and these harmful practices end once and for all.

Sincerely,

**All Copays Count Coalition Steering Committee**

Arthritis Foundation  
Cancer Support Community  
Immune Deficiency Foundation  
National Hemophilia Foundation  
National Multiple Sclerosis Society  
The AIDS Institute

**Member Organizations**

Accessia Health	Georgia AIDS Coalition
AIDS Foundation Chicago	Global Healthy Living Foundation
Aimed Alliance	Go2 for Lung Cancer
Alpha-1 Foundation	Haystack Project
Alliance for Headache Disorders Advocacy	HealthyWomen
Alliance for Patient Access	Hemophilia Alliance
ALS Association	Hemophilia Council of California
American Cancer Society Cancer Action Network	Hemophilia Federation of America
American College of Rheumatology	HIV + Hepatitis Policy Institute
American Kidney Fund	HIV Medicine Association
Association for Clinical Oncology	Hope Charities
Association of Women in Rheumatology	ICAN, International Cancer Advocacy Network
Autoimmune Association	Infusion Access Foundation (IAF)
CancerCare	Infusion Providers Alliance
Cervivor, Inc.	International Foundation for Autoimmune & Autoinflammatory Arthritis
Chronic Care Policy Alliance	International Foundation for Gastrointestinal Disorders
CLL Society, Inc.	International Myeloma Foundation
Coalition of Skin Diseases	Looms For Lupus
Coalition of State Rheumatology Organizations	LUNGeivity Foundation
Community Oncology Alliance (COA)	Lupus and Allied Diseases Association, Inc.
Crohn's & Colitis Foundation	Lupus Foundation of America
Cystic Fibrosis Research Institute	METAvivor
Derma Care Action Network	National Alopecia Areata Foundation
Diabetes Leadership Council	National Consumers League
Diabetes Patient Advocacy Coalition	National Eczema Association
Digestive Disease National Coalition	National Infusion Center Association (NICA)
Dystonia Advocacy Network	National Organization for Rare Disorders
Dystonia Medical Research Foundation	National Pancreas Foundation
Eastern PA Bleeding Disorders Foundation	National Psoriasis Foundation
Epilepsy Foundation	National Scleroderma Foundation
EveryLife Foundation for Rare Diseases	NCODA
FORCE: Facing Our Risk of Cancer Empowered	
Foundation for Sarcoidosis Research	

NephCure Kidney International  
Ovarian Cancer Research Alliance  
Patient Access Network (PAN) Foundation  
Patient Empowerment Network  
Platelet Disorder Support Association  
Project Sleep  
Pulmonary Hypertension Association

Ryan White Medical Providers Coalition  
Society of Dermatology Physician Assistants (SDPA)  
Susan G. Komen  
Triage Cancer  
US Hereditary Angioedema Association  
wAIHA Warriors  
2 For 2 Boobs, Inc.