

Emerson Levy
STATE REPRESENTATIVE
House District 53



HOUSE OF REPRESENTATIVES

February 07, 2024

Chair Nosse, Vice Chair Goodwin, Vice Chair Nelson, and Members of the Committee,

Thank you for the opportunity this afternoon to further discuss HB 4113, which bans the practice of prohibiting enrollees from using co-pay assistance provided by a pharmaceutical manufacturer to meet their annual deductible. The legislation I bring before you today is the first step to bringing balance to a system that has left patients unable to pay for expensive medication and therefore reliant on costlier emergency room care. Oregonians who pay for their insurance should be able to use it, but because of co-pay limiter programs, each visit to the pharmacy counter can be a game of healthcare roulette.

In Oregon, some patients have to either pay out of pocket for prescription drugs or stop taking them altogether because, under some commercial insurance plans, insurance companies aren't required to accept financial assistance toward an enrollee's annual deductible. Discontinuation of medication can lead to irreversible or life-threatening health consequences for chronic disease patients.

There's no question that costs are rising in our healthcare system, but so are the profits. For example, United Healthcare reported profits of \$22 billion, despite this practice being banned in swaths of the country. Oregonians are putting 10's of thousands of dollars on their credit card because of these copay limiter programs.

This is the first bill in a longer conversation about cleaning up this messy system of coupons, financial assistance, and off-label prescribing in Oregon and nationally. This messy system has left patients vulnerable and left in the middle. I am committed to working on the big picture in the interim with all stakeholders. While Oregon law controls when it comes to the legality of these programs, we must continue these conversations as we expect federal guidance, which is anticipated to continue the 2020 HHS rule which does not permit co-pay limiter programs.

I hope that this year we can join the 19 bipartisan states that have already taken the initiative to ban this practice. I urge your support for HB 4113.

Sincerely,

Emerson Levy