**OHIO STATE MEDICAL ASSOCIATION HOUSE OF DELEGATES**

**Resolution No. 25 – 2020**

**Introduced by:** OSMA District Two

**Subject:** Co-Pay Accumulators

**Referred to:** Resolutions Committee No. 2

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**WHEREAS**, Virginia is the first state in the nation to pass legislation regulating Co-Pay Accumulators. Under a Co-Pay Accumulator program the value of a manufacturer’s copay coupon is unable to be counted towards the beneficiary’s deductible or out of pocket maximum. Once the coupon’s value is exhausted, the beneficiary is still responsible for the deductible before plan benefits commence; and

**WHEREAS**, Virginia Law, effective January 1, 2020, states “When calculating an enrollee’s overall contribution to any out of pocket maximum, deductible, copayment, coinsurance, or other cost sharing requirement under a health plan, a carrier shall include any amounts paid by the enrollee or paid on behalf of the enrollee by another person.”; and

**WHEREAS**, Two other states, including West Virginia and Arizona, have passed similar legislation in Spring of 2019 prohibiting health insurance plans from enacting co-pay accumulator policies that do not count third-party financial assistance toward a patient’s out-of-pocket expenses; and

**WHEREAS**, Several other states, including Illinois, Connecticut, Indiana, Kentucky, and North Carolina are considering passing their own laws to ban copay accumulator programs; and

**WHEREAS**, Our AMA at its I-19 meeting directed the COL (Council on Legislation) to develop a model state legislation which all states can utilize; **therefore be it**

**RESOLVED**, That the OSMA take legislative actions to mandate that the value of any vouchers provided to patients by pharmaceutical and durable medical equipment companies and submitted by patients, be counted towards patient’s deductibles or out of pocket maximum (Co-Pay Accumulators).

**Fiscal Note:** $ 50,000 (Sponsor)

 $ 50,000 (Staff)