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WEST VIRGINIA IS SECOND STATE TO PASS LAW PRESERVING FINANCIAL ASSISTANCE FOR DRUGS

The AIDS Institute urges other states to protect patients from high out-of-pocket costs

Washington, DC - The AIDS Institute applauds the West Virginia legislature and Governor Jim Justice for approving legislation that helps protect patients from high out-of-pocket costs for prescriptions by prohibiting a new and harmful insurance company tactic. Under the law, West Virginia will require insurance companies to include copay assistance from drug companies and other patient assistance programs toward a patient’s cost-sharing responsibilities. West Virginia is the second state in the nation to enact such legislation. Virginia did so earlier this month.

“Patient assistance exists because people can’t afford the high out-of-pocket costs that their insurance companies require” said Carl Schmid, Deputy Executive Director of The AIDS Institute. “This practice leaves many people with serious conditions, such as HIV or hepatitis, unable to afford their medication. West Virginians should be pleased that their legislators stood up for patients against this harmful insurance company practice.”

Increased patient cost sharing is one reason why people complain about the high price of prescription medications. Deductibles can be as high as $7,900 for an individual and $15,800 for a family.

The bill signed into law by Gov. Justice today was championed by Delegates Rohrbach, Ellington, Barrett, Queen, Waxman, Byrd, Westfall and Nelson, and approved by the House by a vote of 93 to 0 with 7 abstentions, and by the Senate by a vote of 34 to 0. It will become effective on January 1, 2020 and will apply to all individual and small group plans sold in the state.
In addition to HIV and hepatitis, others who rely on copay cards and other forms of financial assistance include people with cancer, MS, hemophilia, arthritis and those with rare diseases. Legislation that would require patient assistance to count towards out-of-pocket maximums is pending in several other states including Arizona, Kentucky, and Illinois.