

HEALTH AND HUMAN SERVICES (HHS)

Resolution HHS-24-37

PROTECTING AN EQUITABLE HEALTHCARE MARKET

WHEREAS, uninsured and underinsured patients rely on patient assistance to help them access the prescription medicines needed to protect their health;

WHEREAS, vendors in partnership with health insurers, health plans, and pharmacy benefit managers implement alternative funding programs, which remove coverage of certain specialty medicines and shift the cost of covering these medicines onto third party patient assistance programs intended for uninsured or underinsured patients;

WHEREAS, patients are compelled to share personal financial information to facilitate enrollment into the patient assistance program and may be forced to self-pay if they refuse to provide this information or do not qualify for the patient assistance program;

WHEREAS, commercially insured patients, who otherwise may not be eligible for patient assistance, can access funds intended for uninsured or underinsured patients;

WHEREAS, patients face undue stress, confusion, and delay in treatment when their needed medication has been denied under their health insurance coverage as a result of these alternative funding programs;

WHEREAS, patients with chronic or pre-existing conditions are disproportionately impacted by these alternative funding programs;

WHEREAS, helping patients navigate patient assistance program applications and insurance appeals requires significant paperwork and added burden on healthcare providers; and

WHEREAS, patients need equitable and accessible health coverage that does not impose unfair burdens upon them.

THEREFORE, BE IT RESOLVED, that the National Black Caucus of State Legislators (NBCSL) believes that it is our duty as public servants to enact legislation that does not undermine insurance coverage and access to needed health care to foster improved health outcomes;

BE IT FURTHER RESOLVED, that NBCSL believes that each state should prohibit health insurers and health plans from setting health plan coverage terms based on the amount of patient assistance available; and

BE IT FINALLY RESOLVED, that a copy of this resolution be transmitted to the President of the United States, the Vice President of the United States, members of the United States House of Representatives and the United States Senate, and other federal and state government officials as appropriate.

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Sponsored by: Sen. London Lamar (TN)

Policy Committee: Health and Human Services (HHS)