

October 3, 2022

The Honorable Mike Kreidler
Washington State Office of the Insurance Commissioner
P.O. Box 40258
Olympia, WA 98504-0258

RE: CR-102 – Implementation of SSB 5610 (Chapter 228, Laws of 2022) – Cost-sharing for prescription drugs

Dear Commissioner Kreidler:

On behalf of the Patient Coalition of Washington, I want to thank you for the opportunity to submit comments in support of the proposed CR-102 rulemaking to implement cost-sharing protections for prescription drugs. The Patient Coalition of Washington consists of the leading patient advocacy organizations in Washington, joining together to have one voice for better health care.

Patients with rare, complex, or chronic diseases often need high-cost specialty medications to manage their conditions and maintain their health. These patients sometimes rely on patient assistance programs offered by the manufacturers of these medications to cover the cost sharing obligations. Insurance companies in Washington have started including policies in plans that prohibit patient assistance programs from counting towards deductibles or their maximum out-of-pocket costs. Without the benefit of the patient assistance programs, many patients struggle to meet their out-of-pocket costs, which in turn hinders their ability to adhere to their treatment plan including accessing critical medications, health care providers and specialists, etc.

As passed, SSB 5610 successfully prohibits the use of these policies that discriminate against cost sharing sources. Our coalition worked in strong support of SSB 5610 and we support the agency's rulemaking efforts to ensure the legislation is effectively implemented.

We have reviewed the draft rules in the CR-102 released by your office on August 23, 2022, and believe the proposed language strongly supports the intent of the legislation to make sure that patients continue to be able to utilize patient assistance programs in a way that counts toward their out-of-pocket cost requirements.

For questions or to discuss our comments further, please contact our lobbyist, Erin Dziedzic at erin@dzpublicaffairs.com.

Sincerely,

Jim Freeburg
Patient Coalition of Washington