



January 7, 2022

The Honorable Heather Sanborn, Chair
The Honorable Denise Tepler – Chair
Committee on Health Coverage, Insurance and Financial Services
c/o Legislative Information Office
100 State House Station
Augusta, ME 04333

IN SUPPORT OF LD 1783

Dear Chairs Sanborn and Tepler,

On behalf of the Epilepsy Foundation and our local affiliate, Epilepsy Foundation New England we write in support of LD 1783 *“An Act To Require Health Insurance Carriers and Pharmacy Benefits Managers To Appropriately Account for Cost-sharing Amounts Paid on Behalf of Insureds.”*

This bill, regarding the application of cost-sharing amounts toward deductibles or out-of-pocket maximums, would ensure that all people with high prescription drug costs can continue to access needed medications, even if they receive assistance to afford their drugs.

The Epilepsy Foundation is the leading national voluntary health organization that speaks on behalf of more than three million Americans with epilepsy and seizures. Together we foster the wellbeing of children and adults affected by seizures through research programs, educational activities, advocacy, and direct services. Epilepsy is a medical condition that produces seizures affecting a variety of mental and physical functions. Approximately 1 in 26 Americans will develop epilepsy at some point in their lifetime. For the majority of people living with epilepsy, epilepsy medications are the most common and most cost effective treatment for controlling and/or reducing seizures.

This legislation would ensure that people with epilepsy who have trouble affording their medications can continue to access assistance. Issuers have instituted copay accumulator programs as a result of unfounded concerns that copayment reimbursements by prescription drug manufacturers incentivize physicians to prescribe more expensive drugs; however, this is an inappropriate assumption, especially in relation to epilepsy. Epilepsy medications are not interchangeable and treatment of epilepsy is highly individualized. There is no “one size fits all” treatment option for epilepsy, and the response to medications can be different for each person. Maintaining seizure control with minimal side effects requires careful evaluation and monitoring by physicians and their patients. Selection of the appropriate medication to prevent seizures is determined by a number of variables, including type of seizure, seizure frequency, age, gender, and other health conditions. The treating physician is in the best position to make the judgment about



which medication is most appropriate.

It is beneficial, and at times critical, to our community that individuals are able to receive copayment assistance. Prescription drug manufacturers offer copayment assistance to individuals who may be struggling to afford their medications for various reasons. Many individuals are not able to afford their medications, even with insurance coverage, and copayment assistance programs play a critical role in ensuring they can gain and maintain seizure control. People living with epilepsy who have their medications switched, or who experience a delay in accessing their medication, are at a high risk for developing breakthrough seizures and related complications including death. Limits on access also can lead to significantly increased medical costs related to preventable seizures, along with lost wages and productivity, not just for the individuals living with epilepsy but also their families and communities.

The Epilepsy Foundation and Epilepsy Foundation New England urge you to support LD 1783. Please do not hesitate to contact Laura Weidner, Vice President, Government Relations & Advocacy at lweidner@efa.org or 301-918-3766 with any questions.

Sincerely,

Susan Linn
President & CEO
Epilepsy Foundation of New England

Laura Thrall
President & CEO
Epilepsy Foundation

CC:

Senator Stacy Brenner

Senator Trey Stewart

Representative Poppy Arford

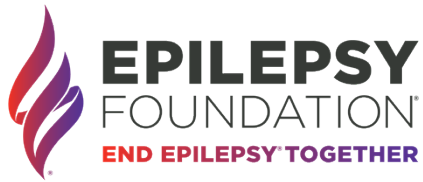
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Representative Tracy Quint

Edna Cayford - Committee Clerk