

From: [NILSA CRUZ](#)
To: [ETF SMB Board Feedback](#)
Subject: RE: Navitus" Copay-Max Plus Program
Date: Monday, May 15, 2023 9:12:10 PM
Attachments: [Outlook-horizontal.png](#)
[05.15.23 NILSA LETTER TO GROUP INSURANCE BOARD 1.pdf](#)

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Please, see attached.

Thank you!

Nilsa

Nilsa Cruz, CRHC

Milwaukee Rheumatology Center, Practice Administrator/Patient Advocate

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2901 W Kinnickinnic River Pkwy, Ste 319

Milwaukee, WI 53215

May 15, 2023

Group Insurance Board
c/o Board Liaison
Wisconsin Department of Employee Trust Funds
PO Box 7931
Madison, WI 53707-7931

RE: Oppose Implementation of Navitus' Copay-Max Plus Program to Protect Wisconsin Patients

Members of the Group Insurance Board (GIB):

I am a National Rheumatology Patient Advocate at the Milwaukee Rheumatology Center, in Milwaukee, WI, owned and operated by Dr. Daniel Rosler, a rheumatologist in solo-private practice. Our patients' panel includes state employees and retirees. Rheumatology patients suffer from chronic, debilitating, immunological diseases for which there is no cure, but we can stage their disease and avoid further progression with medications, including complex biologics of which many do not have a generic form available. I write to express our sincere concerns with the Navitus' Copay-Max Plus Program that the Group Insurance Board (GIB) is considering as part of proposed 2024 benefit changes for state employees and retirees. This program would threaten prescription drug affordability and access for vulnerable patients across our great state and build upon the harmful practices that Wisconsin health plans and pharmacy benefit managers (PBMs) use to degrade copay assistance.

On May 17, I join the Coalition of Wisconsin Aging and Health Groups and the Wisconsin All Copays Count Coalition by urging members of the GIB to vote against the implementation of Navitus' Copay-Max Plus Program in the 2024 state employee and retiree health plans in order to protect Wisconsin patients.

Here is a recent example of a clinically stable, working Mom, on Enbrel (no generics available) for over 10 years, and with the help of her Co-Pay card. The patient's message came into my doctor's direct messaging inbox in the EHR, just four days prior to Mother's Day. You can appreciate the desperation, despair, and confusion this patient is experiencing as to what her future, as a productive member of society, may now look like.

Message from DANIEL ROSLER

FWD: ENBREL

**Patient: REDACTED FOR SUBMISSION TO GOVERNOR'S OFFICE
(m) REDACTED**

**To: Nilsa C
05/11/2023 12:41 pm
See below**

-----Forwarded message-----

**05/11/2023 12:30 pm
From: PATIENT NAME REDACTED FOR SUBMISSION TO GOVERNOR'S OFFICE
To: DANIEL ROSLER,MD
Subject: ENBREL**

Dr Rosler, I am at wits end here! I was using the Enbrel support card and now they are telling me I have used up the funds for the year!! I have only 2 syringes left and they want me to come up with about \$1200. I guess my allotment was around \$7000 for this year and with the Enbrel being \$2000 per RX the money is gone. I have spent 2 days trying to get someone to help me. So it looks like I got 2 options, go without and go on disability or go on something else. If you have any suggestions on what I should do next please let me know. Thank you,

In February, Governor Tony Evers included this critical “All Copays Count” legislation in his 2023-2025 Executive Budget Bill, highlighting the importance of copay assistance. This is the third time the Governor has included a ban in his budget proposal. **The Copay-Max Plus Program is in direct contrast to the Governor’s proposal.**

This March, a bipartisan coalition of Wisconsin lawmakers introduced the “All Copays Count” legislation (AB 103 and SB 100) to improve patient access and affordability to prescription medications. This bipartisan legislation that has the support of nearly 50 co-sponsors in the legislature and nearly 50 patient and provider advocacy groups. **The Copay-Max Plus Program is in direct contrast to the Legislature’s proposal.**

17 states have adopted copay accumulator bans and several other states (including Texas, Missouri and Colorado) are on pace to join them by the end of June. **The Copay-Max Plus Program is in direct contrast to the direction other states are going.**

Switching this stable patient is not an option, because the insurance plan and PBMs will do the exact same thing to the next drug’s copay card, meaning they will **syphon** copay assistance funds in a few months, each, and based on my experience, resulting in unnecessary non-medical switches to the detriment of our patient. This happens because there are no rules governing how these maximizers are structured. Patients rely on copay assistance to access their medically necessary medications, especially where no generic alternatives exist for their condition. Yet in Wisconsin, nothing stops insurance plans and pharmacy benefit managers (PBMs) from implementing “copay maximizer policies,” such as the Copay-Max Plus Program. Copay maximizers take advantage of drug manufacturer coupons and copay assistance programs applied to many high-cost drugs at the expense of patients. Under the proposed program, the health plan determines the patient’s copay based on the maximum amount of manufacturer copay assistance available to them, rather than on the list or net price of the medication. Enrollees may then be required to enroll in copay assistance in order to gain access to needed medication. The health plan then syphons the entire possible amount of copay assistance, *leaving patients who did not ask to suffer from such chronic conditions, **functionally uninsured** with nothing applied to patient’s out of pocket, therefore causing treatment abandonment and or disability applications.*

My clinic joins the Coalition of Wisconsin Aging and Health Groups and the Wisconsin All Copays Count Coalition, in encouraging members of the GIB to oppose implementation of Navitus’ Copay-Max Plus Program in the 2024 state employee and retiree health plans and stand with patients and their physicians in helping those with chronic and complex conditions access the treatments they need to live a healthy and productive life.

Thank you for your consideration.

Sincerely,



Nilsa Cruz, CRHC

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More information about copay maximizers and the *Wisconsin All Copays Count* Coalition can be found at:

<https://www.wi4patients.com>.