



ACCC: Reintroduction of the House HELP Copays Act

WASHINGTON, DC – December 4, 2025—Today, Representatives Kean (R-NJ), Barragán (D-CA), Miller-Meeks (R-IA), Auchincloss (D-MA), Fitzpatrick (R-PA), and Watson-Coleman (D-NJ) reintroduced the Help Ensure Lower Patient (HELP) Copays Act to make necessary and life-saving prescription medications more affordable for patients with rare, serious, and chronic conditions. The All Copays Count Coalition, a group of nearly 90 national patient and provider advocacy organizations, commend these champions for their commitment to protecting the most vulnerable Americans.

The bipartisan, bicameral HELP Copays Act [H.R. 6423] would require insurers and pharmacy benefit managers (PBMs) to count all payments, including copay assistance, received on behalf of patients toward those patients' annual deductibles and out-of-pocket limits. An identical version of the bill was introduced in the Senate in March by Senators Roger Marshall (R-KS) and Tim Kaine (D-VA).

“People across the country are continuing to struggle to afford their healthcare, especially prescription drugs,” said Rachel Klein, Deputy Executive Director at The AIDS Institute. “This bipartisan bill upholds the promise Congress has made to make healthcare more affordable.”

Americans living with serious, complex and chronic illness have increasingly been subjected to “copay diversion” schemes by insurers and PBMs. One of the schemes, called “copay accumulator adjustment policies,” enables insurers and PBMs to profit from copay assistance intended to help patients afford high-cost specialty medications. Under this practice, insurers and PBMs accept the copay assistance for covered prescription drugs, but do not count it towards a patient’s deductible or out-of-pocket maximum. That means that when the copay assistance runs out, patients find that they have not met their annual deductible or out-of-pocket limit, even though the insurer and/or PBM has received thousands of dollars in payments. According to a recent report from The AIDS Institute, more than 40% of individual health plans in 2025 include these policies. And in a large-scale survey of commercial insurers, it was found that 83% implement copay accumulators. This leaves patients in a difficult position, while insurers and PBMs profit.

“The journey from diagnosis to effective treatment for a person with a chronic illness can take years, many trials, and teams of specialists. Once a patient and provider finally determine the effective and appropriate medication, health insurers and PBMs use many tools, including prior authorization, step therapy, and formulary design to ensure that the



patient has exhausted all possible options, if there are any, before approving the prescription” said Nathan Schaefer, Senior Vice President of Public Policy and Access at the National Bleeding Disorders Foundation. “However, because these are very specialized treatments, they often come with a high copayment which can stop a patient in their tracks. Without copay assistance, many patients will be unable to afford their necessary and life-saving medication.”

The HELP Copays Act eliminates barriers to care by:

- Requiring health plans to count payments made “by or on behalf of” patients toward patient cost-sharing requirements;
- and closing the essential health benefit (EHB) loophole to ensure that any covered prescription drug is “essential” so that all related cost sharing counts towards a patient’s cost-sharing limits.

There is growing support for federal policy solutions to address these issues; according to a National Bleeding Disorders Foundation survey, more than 80% of voters in both political parties believe the government should require copay assistance to be applied to patients’ out-of-pocket costs. To date, 25 states, the District of Columbia and Puerto Rico have enacted policy to ensure copay assistance counts towards patients’ out-of-pocket costs. Even the American Medical Association (AMA) issued a resolution calling for federal and state laws that would ban copay accumulator policies, including in federally regulated ERISA plans.

“The HELP Copays Act is common-sense, patient-centered bill that will have an immediate impact on patient access and affordability,” said Lynn Albizo, Chief Public Policy Officer of the Immune Deficiency Foundation. “We applaud Representatives Kean, Barragán, and the other cosponsors for standing up to PBMs and insurance companies that have been taking advantage of American patients.”

About the All Copays Count Coalition

The All Copays Count Coalition (ACCC) is comprised of members serving the interests of beneficiaries with chronic and serious health conditions that rely on copay assistance in various forms to make medically necessary drug treatments affordable. The coalition provides information about the harmful effects of pricing schemes, known as “copay accumulators and maximizers,” on access to prescription drugs for people with chronic and serious health conditions.