



February 20, 2019

The Honorable John Shott
Room 418M, Bldg. 1
1900 Kanawah Blvd. E.
Charleston, WV 25305

Dear Chair Shott and Members of the Judiciary Committee

On behalf of the Epilepsy Foundation and our local affiliate, Epilepsy Foundation West Virginia, we urge you to support House Bill 2770, which would ensure that all people with high prescription drug costs can continue to access needed medications, even if they receive assistance to afford their medications.

The Epilepsy Foundation is the leading national voluntary health organization that speaks on behalf of more than three million Americans, including 21,500 West Virginians 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 manufactures 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 reimbursements. Prescription drug manufacturers offer copayment reimbursements to individuals who may be struggling to afford their medications for various reasons, and while the Epilepsy Foundation advocates for policies that support meaningful access to medications and

treatment for epilepsy, which often includes issues of affordability, unfortunately, there are still many challenges related to meaningful access. 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 West Virginia urge you to support HB 2770. 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,



Chris Mullett
Executive Director
Epilepsy Foundation West Virginia



Philip M. Gattone, M.Ed.
President & CEO
Epilepsy Foundation