



STATEMENT OF FARE (Food Allergy Research and Education) before the
Maryland House Health and Government Relations Committee
February 22, 2024
Position: **FAVORABLE HB 0939**

Chair Pena-Melnyk, Vice Chair Cullison, and members of the Health and Government Relations Committee:

[FARE](#) (Food Allergy Research and Education), the nation's leading non-profit organization engaged in food allergy advocacy and the largest private funder of food allergy research, strongly supports Delegate Palakovich Carr's legislation, HB 0939 – Health Insurance - Epinephrine Injectors - Limits on Cost Sharing (Epinephrine Cost Reduction Act of 2024). We appreciate her leadership and are grateful for her efforts to cap the costs of epinephrine auto-injectors in Maryland which would make this life-saving medicine more affordable to the more than 623,000 Marylanders who desperately need them.

As of July 2023, Maryland's food allergy population was estimated at **623,886** which is bigger than the population of [Anne Arundel County](#) as more than 10% of the state's residents have a food allergy. Furthermore, of that population, more than 103,000 are children ages 18 and under which is larger than the combined cities of [Frederick and Salisbury](#).

Life-threatening food allergies are on the rise as the [Centers for Disease Control and Prevention \(CDC\)](#) found that over the past 20 years, the rates of children with food allergies has grown by 50% and for children with a peanut or tree nut allergy, it has tripled. Life-threatening food allergies and the risk of fatal [anaphylaxis](#) are growing at an even faster rate among [African-American, Latino, and Asian-American children](#).

There are no cures for individuals with life-threatening food allergies and the only way to stop an anaphylactic attack is through the quick administration of an epinephrine auto-injector. Often, individuals experiencing anaphylaxis will need more than one dose of epinephrine to save their lives and that is why two epi-pens are included in every prescription.

Without epi-pens, the alternative is horrific. In just the last year alone, at least [three children have died](#) in the United States as a result of not having access to epinephrine.

Unfortunately, one of the greatest burdens food allergy patients and families face is the rising cost of epinephrine auto-injectors. Currently, the cost of a brand name EpiPen ranges from [\\$650 to \\$730](#) depending on the pharmacy and the generic version costs between \$320 and \$750, making it too expensive for Marylanders who cannot simply afford the only medicine that can save their lives. This trend is nothing new as six years ago, [CNN](#) reported that these life-saving devices had increased by more than 400% since 2007.

While the price of epinephrine auto-injectors continue to rise, so too has the use of high deductible health insurance plans as they have increased nationally by [83.7%](#) over the last ten years. This combination is problematic for food allergy families. As a recent [NBC News](#) story summarized the problem, "Even as the cost of EpiPens and other epinephrine auto-injectors have stabilized, many are paying thousands of dollars out of pocket each year due to high-deductible insurance."

This is especially acute in Maryland as in 2022, [43.9%](#) of its private sector employees were in a high deductible health insurance plan. For a typical family living in Baltimore, with an eight-year-old girl with a peanut allergy, they must purchase, each and every year, at least two-packs of epinephrine auto-injectors, one for at home, and the other at school, which means that their total cost of \$1,400 is nearly 70% of the [median monthly mortgage payment in Maryland – \\$2,013](#).

This is simply unconscionable for the state’s 623,000 plus food allergy families who through no fault of their own find themselves financially torn between paying for a mortgage and covering the cost of life-saving medicine for a loved one.

The problem Maryland residents face is simple – through their employer, many are paying for health insurance coverage that **fails** to reduce the cost of the one prescription they must absolutely have – their epinephrine auto-injectors. This is happening while the Wall Street Journal reported in January of this year, [“Insurers Rake In Profits as Customers Pay Soaring Premiums.”](#) This trend is nothing new as back in 2022, CNN reported that [“Health insurance companies make record profits as costs soar in US.”](#)

Unfortunately for the state’s food allergic community, these costs have a very real consequence as many food allergy families decide to risk it and forgo their medicine. In 2021, FARE conducted a survey of nearly 6,000 food allergy patients and families where most respondents, 91%, earned less than \$75K per year. Among respondents, our research found that cost was the primary reason for why epinephrine auto-injector prescriptions were either left unfilled or not refilled after the medicine expired.

And while some may argue that price caps would harm innovation, the epi-pen has not changed in years nor has competition driven down the price. A [2016 CNBC story](#) makes it clear – the amount of medicine in an epinephrine auto-injector is worth just one dollar. And, the [San Jose Mercury News](#) found that it would cost \$8 to manufacture an epinephrine auto-injector.

Lastly, we have heard that some have claimed that epinephrine auto-injector rebate programs can help reduce the cost of these life-saving devices. In 2016, [The Washington Post](#) investigated this claim and concluded, “Why Mylan’s ‘savings card’ won’t make EpiPen cheaper for all patients.” In addition, the application process is a laborious one that requires both the patient and the prescriber to complete it and there is no guarantee that the application will be approved and when the patient will ultimately receive the medicine.

HB0939 offers a better way, and a faster solution. In an era of record-breaking profits for insurance companies, it is time that the only medicine that can save the lives of the more than 623,000 Marylanders with life-threatening food allergies be made available at a price we can all afford. By passing this bill into law, Maryland would join Illinois and Rhode Island and other states putting their people first ahead of the profits of large pharmaceutical and insurance companies.

FARE asks for a favorable report.

Thank you.

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