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HB0939

February 22, 2024

TO: Members of the House Health and Government Operations Committee

FROM: Nina Themelis, Director of Mayor's Office of Government Relations

RE: House Bill 939 - Health Insurance – Epinephrine Injectors – Limits on Cost Sharing (Epinephrine Cost Reduction Act of 2024)

POSITION: FAVORABLE

Chair Peña-Melnyk, Vice Chair Cullison, and Members of the Committee, please be advised that the Baltimore City Administration (BCA) **supports** House Bill (HB) 939.

HB 939 requires certain insurers, nonprofit health service plans, and health maintenance organizations to limit the amount a covered individual is required to pay in copayments, coinsurance, and deductibles for a covered prescription epinephrine injector (commonly referred to as an “epi pen”). Under HB 939, people would have to pay no more than \$60 for a pack of two epinephrine injectors, regardless of the type of injector.

Epinephrine injectors are portable drug delivery devices that contain doses of epinephrine used for severe life-threatening allergic reactions. Even when people have insurance, copays, coinsurance, and deductibles can lead to high out-of-pocket costs. A cost review of epinephrine drug prices showed that during 2019, 1 in 13 patients with private health insurance paid more than \$200 for two injectors.ⁱ Costs vary widely by type and brand of injector, as well as based on whether someone has a health insurance plan with a high deductible.ⁱ High costs of epinephrine injectors can prevent patients from carrying this necessary medication, putting their lives at risk.ⁱ Other states, including Illinois and Colorado, have already passed legislation limiting the cost of a two-pack of epinephrine injectors to a maximum of \$60.ⁱⁱⁱⁱ HB 939 protects patients by limiting their out-of-pocket spending for epinephrine which can lead to lives saved.

For these reasons, the BCA respectfully request a **favorable** report on HB 939.

ⁱ Chua, KP., Conti, R.M. Out-of-Pocket Spending on Epinephrine Auto-Injectors Among the Privately Insured, 2015–2019. J GEN INTERN MED 38, 538–541 (2023). <https://doi.org/10.1007/s11606-022-07694-z>

ⁱⁱ Illinois General Assembly. (2023). Public Health - (410 ILCS 27/) Epinephrine Injector Act. Retrieved from <https://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=3725&ChapterID=35>

ⁱⁱⁱ Colorado General Assembly. (2023). HB23-1002 - Epinephrine Auto-injectors. Retrieved from <https://leg.colorado.gov/bills/hb23-1002>