

# 2020

## ANNUAL REPORT



 AIMEDALLIANCE

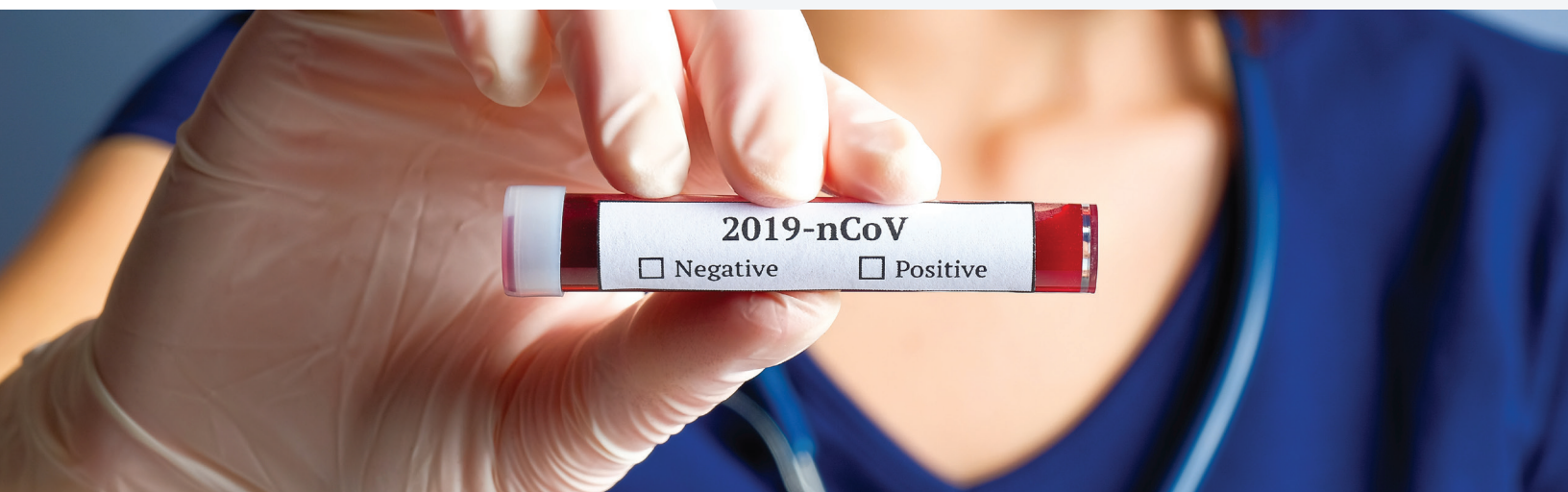
## Mission

Aimed Alliance is a 501(c)(3) non-profit health policy organization that works to protect and enhance the rights of health care consumers and providers. We achieve this mission by conducting legal research and analysis; developing sound, patient-centered policy recommendations; and disseminating its findings to inform policymakers and increase public awareness.

# Addressing the COVID-19 Pandemic

PRIOR TO THE **COVID-19** PUBLIC HEALTH EMERGENCY DECLARATION, AIMED ALLIANCE RECOGNIZED THE IMPACTS THE VIRUS WOULD HAVE ON CONSUMERS, THE HEALTH CARE SYSTEM, AND ECONOMY. WE IMMEDIATELY STEPPED UP OUR EFFORTS TO PROTECT AND ENHANCE THE RIGHTS OF CONSUMERS AND PROVIDERS AND ENSURE THEY HAVE ACCESS TO NECESSARY TREATMENTS AND HEALTH SERVICES.

- Beginning on March 27, 2020, we began offering a COVID-19 Weekly Recap containing our original research and analysis of government responses to the pandemic.
- On March 31, 2020, we spearheaded sign-on letters to state Medicaid directors and state governors asking them to waive certain prior authorization and step therapy requirements for patients at high risk for severe illness from COVID-19.
- On April 23, 2020, we also sent a sign-on letter from patient advocacy groups and from professional organizations to the Centers for Medicare and Medicaid Services (CMS) asking the agency to issue a blanket waiver of prior authorization and step therapy requirements for patients at high risk for severe illness from COVID-19.
- In April, we released a fact sheet titled “Expansion of Home Health Services for Medicare Beneficiaries” summarizing a federal rule that provides flexibilities to treat Medicare beneficiaries in their homes to prevent exposure to COVID-19.
- In May, we co-sponsored a webinar with the Derma Care Access Network titled “Dermatological Care in a Time of COVID-19: Medical, Legal, Policy & Access Considerations for Patients.”
- In October, we moderated a virtual event sponsored by HealthyWomen titled “Women’s Emotional and Physical Health Behaviors and Health Care Decision-Making During and After COVID-19.”



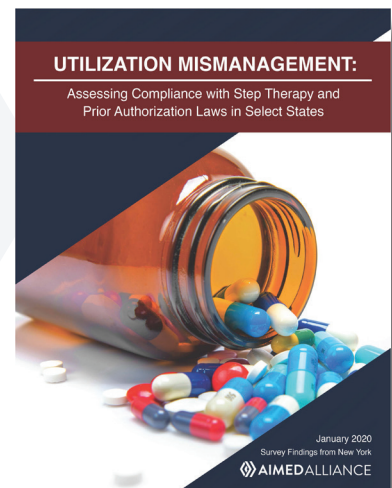
# Research & Analysis

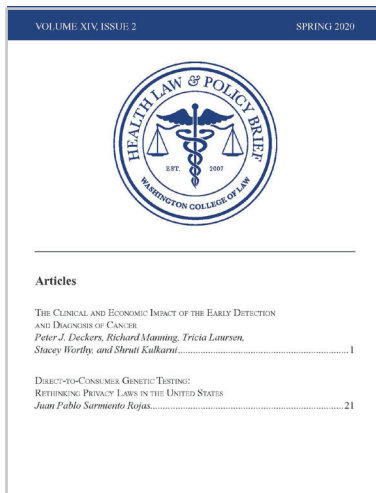
AIMED ALLIANCE CONDUCTS RESEARCH AND PROVIDES ANALYSIS ON ITS POLICY PRIORITIES, INCLUDING REFORMING THE HEALTH CARE SYSTEM SO THAT ALL AMERICANS HAVE COMPREHENSIVE HEALTH INSURANCE COVERAGE, IMPROVING PATIENT ACCESS TO QUALITY CARE, PRESERVING THE PRACTITIONER-PATIENT RELATIONSHIP, AND ADDRESSING THE DRIVERS OF HEALTH CARE COSTS. AIMED ALLIANCE'S FINDINGS CULMINATE IN REPORTS, FACT SHEETS, BROCHURES, LEGISLATIVE MAPS, AND COMMENTS TO GOVERNMENTAL ENTITIES. A SAMPLE OF OUR RESEARCH AND ANALYSIS ACTIVITIES IN 2020 INCLUDES THE FOLLOWING:

## Publications, Surveys, and Reports

### Utilization Management: Assessing Compliance with Step Therapy and Prior Authorization Laws in Select States

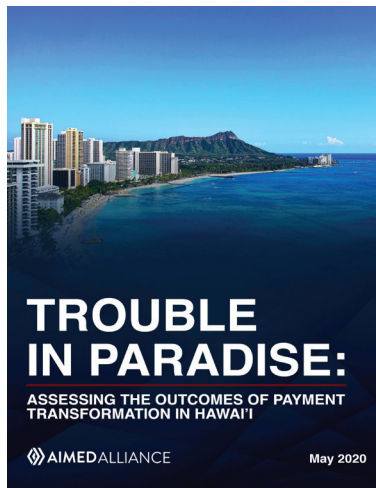
In January, Aimed Alliance published a three-part series of reports titled “Utilization Mismanagement: Assessing Compliance with Step Therapy and Prior Authorization Laws in Select States” – Survey Findings from New York, Survey Findings from Illinois, and Survey Findings from Texas.” These reports gauged the degree to which health plans are complying with prior authorization and step therapy laws in New York, Illinois, and Texas and whether the states are doing enough to enforce those laws. The reports also contain recommendations on overcoming step therapy barriers.





## Early Detection and Diagnosis of Cancer

In April, the Washington College of Law published a scholarly article titled “The Clinical and Economic Impact of Early Detection and Diagnosis of Cancer” in the Health Law & Policy Brief. Co-authored by Aimed Alliance counsel, Stacey Worthy and Shruti Kulkarni, and others, the report notes that many detectable cancers are often undiagnosed, misdiagnosed, or diagnosed too late. The article advocates for early detection and diagnosis, a method where practitioners 1) teach patients to self-assess abnormal symptoms, see their practitioner promptly, and accurately describe symptoms; and 2) make diagnoses in response.



## Trouble in Paradise: Assessing the Outcomes of Payment Transformation in Hawai'i

In May, Aimed Alliance published a report, titled “Trouble in Paradise: Assessing the Outcomes of Payment Transformation in Hawai'i.” The Hawaii Medical Service Association (HMSA) is the largest insurer in the state. Our report analyzed recent changes to HMSA’s primary care provider payment model and found that those changes restricted practitioners’ ability to deliver care, imposed greater administrative burdens, and resulted in financial strains. We also made recommendations for improvement.



## #MeToo Meets the Emergency Room

In July, the Saint Louis University Journal of Health Law & Policy published Aimed Alliance’s article titled “#MeToo Meets the Emergency Room: Providing and Paying for Care After a Sexual Assault.” The article identifies barriers to accessing and affording health care services following a sexual assault. For example, many survivors are often turned away from the emergency room because they lack proof of health insurance or because the hospital has no available rape kits. Additionally, although states have laws that require hospitals to provide certain services free of charge, many survivors are improperly billed and hounded by collections agencies, serving to further traumatize individuals. The article identifies applicable laws and recommends actions at both the state and federal levels to better ensure access to such services.

# Fact Sheets and Brochures

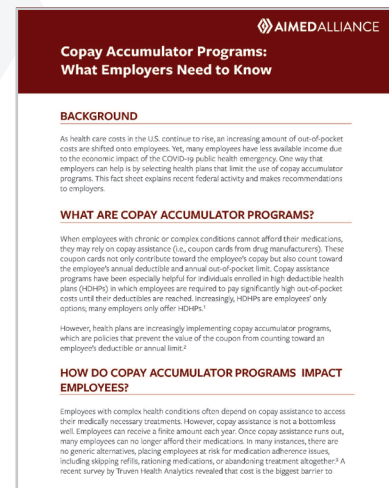
## Know Your Rights: Osteoarthritis/Rheumatoid Arthritis

In March, Aimerd Alliance and the Alliance for Balanced Pain Management (AfBPM) jointly released a new Know Your Rights brochure for patients with osteoarthritis or rheumatoid arthritis and their caregivers. This document provides an overview of osteoarthritis and rheumatoid arthritis diagnoses and treatment, common insurance barriers, and general legal remedies. It also provides details on how to appeal an adverse determination.

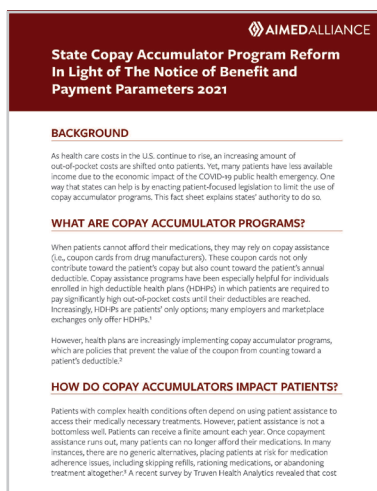


## Copay Accumulator Programs: What Employers Need to Know

In July, Aimerd Alliance released a new fact sheet titled “Copay Accumulator Programs: What Employers Need to Know.” The fact sheet explains what copay accumulator programs are, how they impact employees, and why they are used. It also provides an update on recent regulatory activity, including on the Notice of Benefit and Payment Parameters (NBPP) for 2021 and a proposed Medicaid rule that implicates copay accumulator programs. It ends with recommendations for employers who are contemplating selecting health plans with copay accumulator programs.

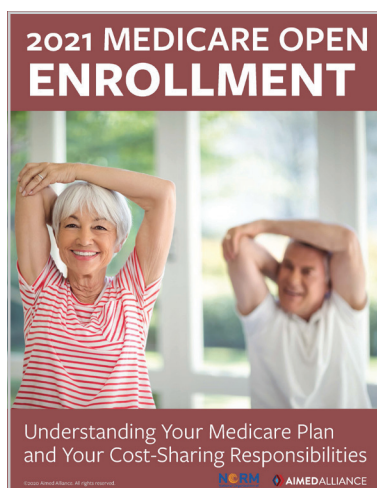


## Fact Sheets and Brochures Cont.



### State Copay Accumulator Program Reform in Light of the NBPP 2021

In June 2020, Aimed Alliance released a fact sheet that explains why states can and should pass laws that limit health insurers' use of copay accumulator programs. As health care costs in the U.S. continue to rise, an increasing amount of out-of-pocket costs are shifted onto patients. Yet, many patients had less available income due to the economic impact of the COVID-19 public health emergency. Our fact sheet explains that states not only have the authority to pass patient-focused legislation to limit the use of copay accumulator programs, but should pass such laws to protect their communities.



### 2021 Medicare Open Enrollment Brochure

In October, Aimed Alliance and the National Organization for Rheumatology Managers (NORM) published an updated "2021 Medicare Open Enrollment" brochure with updated information for the 2021 plan year. This brochure serves as a resource for individuals determining which Medicare plan is best for their needs.

# Thought Leadership

USING ITS RESEARCH AND ANALYSIS, AIMED ALLIANCE DEVELOPS SOUND, PATIENT-CENTERED POLICY RECOMMENDATIONS. REPRESENTATIVES FOR THE ORGANIZATION DISSEMINATE MESSAGES BY PRESENTING TO AUDIENCES OF PATIENTS, ADVOCATES, PRACTITIONERS, ASSOCIATIONS, HUMAN RESOURCES PROFESSIONALS, INDUSTRY MEMBERS, AND POLICYMAKERS; AND ENGAGING WITH THE NEWS MEDIA. IN 2020, THOUGHT LEADERSHIP ACTIVITIES INCLUDED THE FOLLOWING:



## Hosted and Sponsored Webinars

Aimed Alliance hosts and sponsors webinars to educate various stakeholders on our policy priorities. In 2020, we offered the following webinars:

- “Providing Quality Benefits for Inflammatory Bowel Disease and Other Chronic Conditions” (offered through HR.com) (5/6/20)
- CBD in the Workplace: What Employers Need to Know,” (offered through HR.com) (5/28/20)
- Copay Accumulators Part 2: A Legal and Regulatory Update, Data Trends, and Patient Spotlight” (offered through HR.com) (7/29/20)
- “Mandated Coverage of Marijuana as a Health Benefit? What Employers Need to Know,” (offered through Society for Resource Management (SHRM)) (12/2/20)

## External Conferences

Aimed Alliance staff members regularly speak at external conferences and other similar events. Below is a partial list of our speaking engagements from 2020.

- Moderator, “CBD Summit: A National Dialogue on Public Safety, Research, and Policy,” (1/15/20)



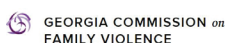
- Panelist, “Patient Advocacy Training,” (1/29/20)



- Presenter, “Finding a Path Forward: The Legal and Regulatory Status of CBD, 2020 Conference (8/11/20)



- Panelist, “Political and Legislative Trends Impacting Healthcare Coverage and Access,” (8/25/20)



- Presenter, “#MeToo Meets the Emergency Room: Providing and Paying for Health Care Following a Sexual Assault,” 26th Annual Conference (9/15/20)



- Presenter, “#MeToo Meets the Emergency Room: Providing and Paying for Health Care Following a Sexual Assault,” 2020 Annual Conference, (9/16/20)



- Panelist, “Understanding Implications of Proposed Best Price Revisions for Manufacturer Assistance Programs,” (10/13/20)



- Moderator, “Women’s Health Behaviors and Decision Making During and After COVID-19,” (10/27/20)



- Panelist, “Impact of Co-Pay Accumulators on Patient Prescription Drug Costs,” Annual Conference (11/30/20)



- Panelist, “3rd Annual Pharma Pricing, Reimbursement & Market Access 2020,” (12/2/20)



- Speaker, “Migraine in the Workplace: Legal Protections for Employees” Denver Education Day 2020 (12/5/20)

# Op-Eds and News Articles

AIMED ALLIANCE PERIODICALLY AUTHORS OP-EDS, AND REPRESENTATIVES ARE OFTEN QUOTED IN NEWS ARTICLES, DISCUSSING ISSUES RELEVANT TO PATIENTS AND PROVIDERS.

## **Op-eds:**

**FORTUNE**



**The Maui News**

## **Hawaii survey report covered by:**



**The Washington Times**

**HOUSTON★CHRONICLE**

**timesunion**

**The Maui News**



## **Step therapy and prior authorization survey report series covered by:**



Washington  
**Times-Reporter**



## **HealthPartners letter on nonmedical switching covered by:**



# Organizational Collaboration

AIMED ALLIANCE PARTNERS WITH LIKE-MINDED ORGANIZATIONS WHOSE MISSIONS ALIGN WITH OUR EFFORTS, INCLUDING BY LEADING INITIATIVES AND PARTICIPATING IN COALITIONS. IN 2020, ORGANIZATIONAL COLLABORATION ACTIVITIES INCLUDED:

## Alliance for Depression Care Access

In December, Aimerd Alliance launched the Alliance for Depression Care Access (ADCA), a coalition that advocate on behalf of patients with depression. ADCA works to ensure that patients living with depression can access treatments and services that are appropriate for them.

Through ADCA, Aimerd Alliance engaged in the following activities in response to CVS adopting a nonmedical switching policy impacting patients with depression in late December 2020 and early January 2021:

- Sent sign-on letter to CVS requesting that the pharmacy benefit manager (PBM) not engage in non-medical switching of patients with depression
- Developed a digital influence campaign targeted at six CVS decision-makers and the public; overall, the influence campaign generated 99,600 impressions, and 444 clicks
- Created letter forms for patients and patient advocates to send to CVS executives, which generated 370 letters to each of the six CVS decision-makers
- Developed a video asking CVS not to leave patients with depression in the dark during the pandemic, which garnered 4,493 views
- Published an op-ed in RealClear Health



# A Path Forward for NY Step Therapy: An Advocacy Roundtable

Throughout the year, Aimed Alliance convened virtual roundtable meetings of New York patient advocacy groups and professional associations that have supported step therapy and consumer protection reforms. During these meetings, the attendees discussed lack of compliance with and enforcement of New York's current step therapy law and areas for improvement. We developed a strategy for improvement.

## Coalition Activities

Aimed Alliance participated as an active member in several coalitions, including but not limited to:

- All Copays Count Coalition
- Collaborating for Care
- The Collaborative for CBD Science & Safety
- Partnership to Advance Cardiovascular Disease
- Partnership to Protect Patient Health
- Voices of Rheumatology

# Advocacy Activity Highlights

AIMED ALLIANCE SUPPORTS LAWS, REGULATIONS, AND POLICIES THAT ENCOURAGE OR REQUIRE PUBLIC AND PRIVATE PAYERS TO OFFER QUALITY ACCESS TO INDIVIDUALIZED, CULTURALLY APPROPRIATE, EFFICIENT, AND TRANSPARENT HEALTH CARE. AIMED ALLIANCE ALSO SUPPORTS CURTAILING THE USE OF DISCRIMINATORY PRACTICES IN THE DELIVERY OF HEALTH CARE AND THE ADMINISTRATION OF HEALTH INSURANCE AND EMPLOYEE BENEFITS. TO ACCOMPLISH THESE GOALS, AIMED ALLIANCE EDUCATES PATIENTS, PROVIDERS, EMPLOYERS, POLICYMAKERS, AND OTHER STAKEHOLDERS.

## Advocacy, Comments, and Letters

### Action on the Hill in Support of Copay Accumulator Reform

In March, Aimed Alliance joined Patients Rising Now to advocate for federal policymakers to abandon a provision in the NBPP 2021 that would allow health plans to implement copay accumulator programs broadly. Aimed Alliance and Patients Rising Now's efforts contributed to over 70 members of Congress signing onto a letter to the U.S. Department of Health and Human Services (HHS), advocating that the agency revert back to last year's NBPP, which only allowed copay accumulator programs in instances where both brand and generic medications are available.



# Advocacy, Comments, and Letters Cont.

## Letter to UHC Asking It Not To Implement Copay Accumulator Programs

In November 2020, Aimed Alliance sent a letter on behalf of 62 patient advocacy groups and professional associations to UnitedHealthcare (UHC) asking the health plan not to implement copay accumulator programs. Just days after it received the letter, UHC announced that it would delay its adoption of the copay accumulator policy.

Additional comments and letters include the following, among others:

- Comment to United States Department of Agricultural regarding Hemp Production Program (1/6/20)
- Letter to Oregon Lawmakers in opposition to HB 4114, which set a price cap for dialysis (2/3/20)
- Comment to CMS regarding NBPP 2021 (2/23/20)
- Comment to U.S. Food and Drug Administration (FDA) and U.S. Federal Trade Commission (FTC) on “FDA/FTC Workshop on a Competitive Marketplace for Biosimilars” (4/20/20)
- Letter to members of Senate Committee on Commerce and Labor re: Amendment 1 to TN SB No. 2847 (white bagging / brown bagging) (4/14/20)
- Letter to Ohio House Health Committee in Support of HB 418 prohibiting midyear formulary changes (6/1/20)
- Letter to Ohio House Health Committee in Support of 469 – copay accumulator bill (6/1/20)
- Comment to HHS on the Medicaid Best Price Rule (7/16/20)
- Letter in support of New York assembly members to support the passage of A8246, a bill that would limit health insurers’ use of copay accumulator programs (9/25/20)
- Letter in opposition to NJ A1708, which would mandate that various health plans and the workers’ compensation program cover marijuana products that have not received FDA approval (12/1/20)
- Comment to the New York Department of Health in opposition to a proposed rule to regulate cannabidiol (CBD) products sold in the state because it would allow for the sale of products that are currently illegal under the federal Food, Drug and Cosmetics Act
- Comment on NBPP 2022, urging CMS to reinstate limitations on the use of copay accumulator programs as set forth in NBPP 2020 (12/30/20)

# Outreach and Complaints

Other outreach activities and complaints include the following:

- Sent sign-on letter to HealthPartners in response to insurer's nonmedical switching policy that impacts patients with various autoimmune diseases (3/9/20)
- Sent letter to Blue Cross Blue Shield of Tennessee expressing concerns about the insurer's plan to expand its white bagging policy (3/26/20)
- Drafted sign-on letter to OptumRx, requesting the PBM to end its nonmedical switching policy impacting patients with type 2 diabetes (8/12/20)

## Maps of Active Legislation and Enacted Laws



Aimed Alliance actively maintains up-to-date information on legislation and enacted laws on the following topics:

- Bad drug ads legislation and enacted laws
- Copay accumulator programs legislation and enacted laws
- Nonmedical switching legislation and enacted laws
- Prior authorization legislation and enacted laws
- Step therapy legislation and enacted laws

# Health Care Reform Lawsuits

Aimed Alliance tracks and provides regular updates regarding ongoing lawsuits involving health care reform, including challenges to the Patient Protection and Affordable Care Act, short-term limited duration health plans, association health plans, PBM reform, and Medicaid work requirements.

## Know Your Rights




Aimed Alliance maintains the Know Your Rights initiative at [www.coveragerights.org](http://www.coveragerights.org). This initiative includes state-by-state instructions for consumers on how to appeal adverse benefit determinations if their treatment or services have been denied.



## Looking Ahead

In 2021, Aimerd Alliance will build upon past achievements with new projects that advance the interests of health care consumers and providers nationwide. We will continue our outreach to employers regarding employee health benefits; tracking of active legislation, enacted laws, and health care reform lawsuits; and projects focused on access to care, discrimination against providers or in the workplace, copay accumulator programs, mental health, CBD regulation, prescription digital therapeutics, health equity, drug price reform, and value-based initiatives.

To stay abreast of our health policy activities, sign up for our monthly newsletter at [aimedalliance.org/newsletters](https://aimedalliance.org/newsletters), and follow us on social media:

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