



July 22, 2021

Steve Miller, MD
Chief Clinical Officer
Cigna Corporation
900 Cottage Grove Road
Bloomfield, CT 06002

Re: \$500 Debit Card Program for Infliximab

Dear Dr. Miller:

Aimed Alliance is a 501(c)(3) non-profit health policy organization that seeks to protect and enhance the rights of health care consumers and providers. On May 14, 2021, we wrote to you to express our concerns about Cigna's recent decision to offer \$500 debit cards to patients if they switch from secukinumab to ixekizumab for nonmedical reasons.¹ We have since learned that Cigna has adopted the same program to incentivize stable patients to switch from the infliximab reference product to biosimilars as of July 1, 2021.² We reiterate our concerns.

The debit card program is another form of nonmedical switching. Nonmedical switching occurs when a health insurer or pharmacy benefit manager (PBM) encourages a stable patient to switch from his or her current, effective medication to an alternative by restricting access, increasing out-of-pocket costs, or offering other incentives or disincentives for the originally prescribed treatment. As a result, the patient switches to an alternative, therapeutically equivalent medication after the plan year has begun.

Moreover, the debit card is akin to a kickback or inducement. For example, the federal Anti-kickback Statute (AKS) prohibits parties from knowingly and willingly offering "payment of 'remuneration' to induce or reward patient referrals or the generation of business involving any item or service payable by the Federal health care programs (e.g., drugs, supplies, or health care services for Medicare or Medicaid patients)."³ While Cigna and Express Scripts are not subject to kickback laws like the AKS, such activity should still be discouraged because it violates the spirit of such laws. Here, Cigna and Express Scripts are offering the payment of remuneration (i.e., the debit card) to induce plan beneficiaries to use certain items (i.e., ixekizumab biosimilars) that are payable by their health plan.

The debit card program is intended solely to incentivize stable patients to switch from one therapy to another, regardless of their financial situation or whether their health care professionals have determined that the switch is medically necessary. Should Cigna seek to offer assistance to patients in need, it should do so by assisting them to afford their currently prescribed medication, which is in patients' best interest, rather than coercing a switch that is in the insurer's best interest.

¹ <https://www.ajmc.com/view/express-scripts-dangles-500-to-persuade-patients-to-switch-psoriasis-drugs>

² <https://www.cigna.com/about-us/newsroom/innovation/cigna-continues-efforts-to-lower-prescription-drug-cost>

³ <https://oig.hhs.gov/compliance/physician-education/01laws.asp>

In conclusion, we ask Cigna to end its debit card program given that it may result in nonmedical switching. Thank you for your consideration in this matter.

Sincerely,

Stacey L. Worthy
Counsel