

1 Janeese Lewis George

2 Councilmember Janeese Lewis George

3
4 Vincent C. Gray

5
6 Councilmember Vincent C. Gray

7
8 Christina Henderson

9 Councilmember Christina Henderson

10
11 Brianne K. Nadeau

12 Councilmember Brianne K. Nadeau

13
14
15 A BILL

16
17
18
19
20 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

21
22
23
24
25 To amend the Specialty Drug Copayment Limitation Act to require health insurers to apply
26 discounts, financial assistance, payments, product vouchers, or other reductions in
27 out-of-pocket expenses made by or on behalf of a member when calculating the
28 member’s coinsurance, copayment, cost-sharing responsibility, deductible, or out-of-
29 pocket maximum for a covered benefit.

30
31 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
32 act may be cited as the “Copay Accumulator Amendment Act of 2023.”

33 Sec. 2. The Specialty Drug Copayment Limitation Act of 2016, effective April 7, 2017
34 (D.C. Law 21-248; D.C. Official Code § 48-855.01 *et seq.*), is amended by adding a new section
35 3b to read as follows:

36 “3b. Calculation of enrollee’s contributions for a covered benefit.

37 “(a) To the extent permitted by federal law and regulation, a health insurer shall, when
38 calculating a member’s contribution to a coinsurance, copayment, cost-sharing responsibility,

39 deductible, or out-of-pocket maximum for any covered benefit, apply any discount, financial
40 assistance, payment, product voucher, or any other reduction in out-of-pocket expenses made by
41 or on behalf of the member.

42 “(b) This section shall apply with respect to health plans that are entered into, amended,
43 extended, or renewed on or after January 1, 2025.”

44 Sec. 3. Fiscal impact statement.

45 The Council adopts the fiscal impact statement in the committee report as the fiscal
46 impact statement required by section 4a of the General Legislative Procedures Act of 1975,
47 approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

48 Sec. 4. Effective date.

49 This act shall take effect following approval by the Mayor (or in the event of veto by the
50 Mayor, action by the Council to override the veto), a 30-day period of congressional review as
51 provided in section 602(c)(1) of the District of Columbia Home Rule Act, approved December
52 24, 1973 (87 Stat. 813; D.C. Official Code § 1-206.02(c)(1)), and publication in the District of
53 Columbia Register.