



September 5, 2019

Howard Zucker, JD, MD
Commissioner of Health
New York State Health Department
Corning Tower
Albany, New York 12203

Dear Commissioner Zucker:

As the Chairman of the Senate Health Committee, I am writing to respectfully request the New York State Department of Health (NYSDOH) begin the process of developing a drug assistance demonstration program for insulin and other life sustaining medications. During the most recent legislative session, I introduced a bill (S.6492), which would direct NYSDOH to develop such program while capping the amount of cost sharing an insurer can require for insulin and allowing pharmacists to provide an emergency refill of an expired insulin script. The bill passed the New York State Senate unanimously.

In recent years, access to insulin has become a matter of life and death for millions of Americans including for thousands of New Yorkers who rely on this life-saving medication. The prohibitive cost of this medication, approximately \$340 for a single vial, has left many Americans sharing, rationing, and even tragically dying because of the uncontrolled costs of this medication. With rising costs of the medication, and insurance policies with higher deductibles and co-payments, access to insulin has become a national issue dominating the news. The situation has become so dire that caravans of Americans are travelling long distances to buy insulin in Canada, while Congress has held hearings on this critical issue. In the midst of this public health crisis, New York State must step up and take immediate action to ensure its residents can rely on affordable and quality insulin.

For decades, New York State has been a proud leader in providing innovative solutions to difficult healthcare issues. We have taken every opportunity to expand health insurance coverage whether by implementing the first CHIP program, or by creating one of the first national Basic Health Programs. For instance, in the 1980s New York created

a drug assistance program in response to the AIDS epidemic to help low-income patients have access to their life saving medications. That program was a great success and saved many lives. Once again, New York has the opportunity to move the national conversation forward by implementing a similar program for those dependent on insulin.

When the 2019 legislative session ended, the Assembly had not introduced my bill. However, this setback should not stop us from working together to address this serious matter. The proposal, which I am attaching, directs NYSDOH to develop a drug assistance demonstration program that is modeled after our highly successful HIV/AIDS drug assistance program and to engage pharmaceutical manufacturers to explore a public-private partnership that brings affordable medications through the demonstration. Finally, the legislation directs NYSDOH to report to the Governor and the legislature by January 31, 2020, on the available options to establish such a program, the various cost-sharing models for participants and related costs associated with implementing the program. By taking this critical step now, New York can take action during the 2020-21 budget process.

I look forward to hearing from you on this request and to working with you to make sure New Yorkers have access to insulin and other life sustaining medications.

Thank you.

A handwritten signature in black ink, appearing to read 'G. Rivera', with a stylized flourish at the end.

Sincerely,

Gustavo Rivera, Chair
Senate Health Committee

Enc.