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NEW JERSEY BANS COPAY ACCUMULATORS

Wisconsin now officially an outlier as 26 states ban predatory PBM practice
When will Wisconsin protect patients and not PBMs?

MADISON, Wis. — Wisconsin patients are falling further behind as New Jersey becomes the 26th state in the nation to ban “copay accumulator” programs, a controversial and predatory pharmacy benefit manager (PBM) practice that prevents manufacturer assistance from counting toward patients’ deductibles and out-of-pocket limits. New Jersey Governor Phil Murphy signed the bipartisan legislation into law following a unanimous 116-0 vote by their state legislature. **Nationwide, lawmakers have voted 3,331 to 179 to protect patients from this predatory practice, nearly unanimous in every state** (see *attached map and roll call*).

Despite overwhelming bipartisan support in Wisconsin, lawmakers have yet to act. The Assembly Health Committee has held nine public hearings since AB 173 was introduced in April of 2025 — but the bill has still not been placed on the committee’s agenda for a public hearing. In the State Senate, 20 of 33 senators are co-sponsors of SB 203, and the bill passed unanimously out of committee in August of 2025 — yet the full Senate has met twice since then without placing the bill on the floor calendar.

“With each passing day, Wisconsin patients remain exposed while other states move forward,” said Rob Gundermann, Chair of the Wisconsin All Copays Count Coalition (WACCC). “Patients are simply asking lawmakers to do the right thing and pass Cole’s Act now. Delaying action only benefits insurance company profits while families are forced to make impossible choices between rent, groceries, and lifesaving medications.”

Copay accumulator programs prevent financial assistance from counting toward patient cost-sharing requirements, leaving patients — particularly those with chronic and life-threatening conditions — responsible for thousands of dollars in unexpected out-of-pocket costs. Research consistently shows that banning these programs lowers costs for patients and improves medication adherence.

Cole’s Act is named after Cole Schmidtknecht, a 22-year-old Wisconsinite who died after being unable to afford his asthma inhaler due to a PBM policy change that increased the cost from \$70 to \$500 overnight.

“At the pharmacy, Cole had to walk away because we couldn’t afford his medication,” said his father, Bil Schmidtknecht. “Later that day, he had an asthma attack and died. No family should ever have to experience this. These policies are devastating for families across Wisconsin. SB 203 and AB 173 will finally hold PBMs accountable and ensure all copays count.”

With the legislative session nearing its end, advocates are calling on leadership in both chambers to immediately schedule floor votes.

“New Jersey just acted. Twenty-six states have acted,” Gundermann said. “Wisconsin should not be an outlier. We have the votes. We have bipartisan support. Now we need action — before the session expires and patients are forced to wait another year.”

Patients and families across Wisconsin are urged to contact their legislators and demand immediate action to pass Cole’s Act and protect patients from harmful PBM practices.

Patients are appealing to families and individuals statewide to contact their local legislators and make passing these bills a top priority this month so appropriate action can be taken to vote the bills into law.

The public may take action at <https://www.wi4patients.com/take-action> or by using the QR code below:



Near Unanimous Support for “All Copays Count”

Legislation has been passed in **26 states** by a vote total of **3,331 in support** to *only* 179 opposed

