June 25, 2008

Dear Senator/Representative:

The undersigned organizations are cancer patient advocates, providers and researchers, known collectively as the Cancer Leadership Council. We write to urge your support for the Access to Cancer Clinical Trials Act (H.R. 2676/S. 2999).

The Access to Cancer Clinical Trials Act would address a serious shortcoming in insurance coverage for cancer patients by amending the Employee Retirement Income Security Act of 1974 (ERISA), the Public Health Service Act, and the Internal Revenue Code to prohibit health plans from denying covered cancer patients the opportunity to participate in high quality clinical trials. For many cancer patients, enrollment in a clinical trial may offer the best prospect for a favorable outcome, yet many insurers disallow participation in clinical trials as “experimental.” Removing economic barriers to clinical trials participation is also necessary to ensure that accrual to trials is not slowed and with it the pace of research on new therapies.

Our organizations have urged state legislatures to require coverage of treatment in a cancer clinical trial, and a number of states have in fact adopted such legislation. However, the effect of ERISA is to exempt self-funded insurance plans from state regulation, thus negating the impact of the state legislative measures for many cancer patients. The Access to Cancer Clinical Trials Act would not only overcome this limitation imposed by ERISA but would also go further to require coverage of cancer clinical trials by private insurance plans even in the absence of state legislation.
Since 2000 the Medicare program has provided coverage of clinical trial treatment, and the experience there has demonstrated that such coverage is feasible, inexpensive and likely to encourage participation in clinical trials that are essential for continued progress against cancer. We strongly believe that H.R. 2676/S. 2999 will achieve similar positive results for private insurance plans, and we offer our endorsement.

Sincerely,

American Cancer Society Cancer Action Network  
American Psychosocial Oncology Society  
American Society of Clinical Oncology  
Bladder Cancer Advocacy Network  
Breast Cancer Network of Strength  
C3: Colorectal Cancer Coalition  
Cancer Care  
The Children's Cause for Cancer Advocacy  
Coalition of Cancer Cooperative Groups  
Gilda's Club Worldwide  
International Myeloma Foundation  
Kidney Cancer Association  
Lance Armstrong Foundation  
The Leukemia & Lymphoma Society  
Lung Cancer Alliance  
Lymphoma Research Foundation  
National Coalition for Cancer Survivorship  
National Lung Cancer Partnership  
National Patient Advocate Foundation  
North American Brain Tumor Coalition  
Pancreatic Cancer Action Network  
Prevent Cancer Foundation  
Sarcoma Foundation of America  
Susan G. Komen for the Cure Advocacy Alliance  
Us Too International Prostate Cancer Education and Support Network  
The Wellness Community