



January 15, 2010

The Honorable Harry Reid
Majority Leader
United States Senate
Washington, D.C. 20510

The Honorable Nancy Pelosi
Speaker
United States House of Representatives
Washington, D.C. 20515

Member Organizations

*Albert and Mary
Lasker Foundation*

*American Association
for Cancer Research*

American Cancer Society, Inc.

*American College
of Radiology*

*American Society for
Therapeutic Radiology
and Oncology*

*American Society of
Clinical Oncology*

*American Society
of Hematology*

*Association of American
Cancer Institutes*

*Cancer Research
and Prevention Foundation*

*Cancer Treatment
Research Foundation*

*Candlelighters Childhood
Cancer Foundation*

*Coalition of Cancer
Cooperative Groups*

*CureSearch National
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*International Cancer
Advocacy Network*

International Myeloma Foundation

Kidney Cancer Association

*The Leukemia and
Lymphoma Society*

*The Lustgarten Foundation for
Pancreatic Cancer Research*

Oncology Nursing Society

*Pancreatic Cancer Action Network
PanCAN*

Prostate Cancer Foundation

Radiation Research Society

Society of Nuclear Medicine

*The Society of
Gynecologic Oncologists*

*The V Foundation for
Cancer Research*

Dear Leader Reid and Speaker Pelosi:

As the United States Senate and House of Representatives continue its negotiations on comprehensive health reform legislation, the National Coalition for Cancer Research (NCCR) is writing to express its strong support for the inclusion of the provisions of **Section 2709 – Coverage For Individuals Participating In Approved Clinical Trials** -- contained in H.R. 3590, the “Patient Protection and Affordable Care Act,” as passed by the United States Senate.

This important provision would require all health insurance plans to cover the routine patient costs associated with participation in high-quality clinical trials. We are especially gratified this provision would also apply to health plans offered through the Federal Employee Health Benefit Program.

For patients with cancer and others struggling with life-threatening illnesses, standard therapy may not be beneficial; the best therapies are frequently available only through participation in a clinical trial. Unfortunately, access to cutting-edge treatment through clinical trials is often denied, as many insurance companies refuse to cover routine patient care costs on the grounds that the care is “experimental.”

Although trial sponsors – either industry or government entities – must rightly assume the responsibility for the research costs of a clinical trial, including data collection and analysis, as well as providing the experimental agent free of charge, patients depend upon their insurance plan to cover diagnostic or supportive services – considered “routine care” – while enrolled in the clinical trial.

The tremendous advances in the treatment of cancer have been made largely because therapies have been tested in clinical trials and have been found to be significant improvements over standard therapy. The clinical research process is a lifeline for those with life-threatening illnesses, and the failure of private and public insurers to cover the costs of routine patient care not only denies patients of the best care available, but also threatens the American clinical trial enterprise as a whole.

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Page 2

On the state level, a number of laws have been enacted that address the issue of clinical trials coverage in varying and inconsistent ways. Since 1994, 27 states and the District of Columbia have enacted laws requiring insurance coverage for “routine patient care” costs in clinical trials, and another five states have established cooperative agreements with insurers to do so. This has created a patchwork of coverage that varies depending upon the state of resident of the patient. However, the vast majority of American workers are covered by the Employee Retirement Security Act of 1974 (ERISA), which necessitates federal legislation to ensure patient access to clinical trial coverage.

Section 2709 of H.R. 3590, as enacted by the United States Senate, will address this urgent shortfall in our nation’s healthcare delivery system. We respectfully seek your active support to include this important provision in the bicameral health reform negotiations currently taking place to ensure that routine patient care costs associated with clinical trials will be covered by health plans and FEHBP.

We thank you for your careful consideration of this important patient care and biomedical research issue.

American Association for Cancer Research
American Cancer Society Cancer Action Network
American College of Radiology
American Society of Clinical Oncology
American Society of Hematology
American Society for Radiation Oncology
Association of American Cancer Institutes
Gateway for Cancer Research
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Friends of Cancer Research
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Prevent Cancer Foundation
Prostate Cancer Foundation
Society of Gynecologic Oncologists
SNM – Society of Nuclear Medicine
V Foundation for Cancer Research