



Governor's Advisory Council for Exceptional Citizens (GACEC) 516 West Loockerman St., Dover, DE 19904
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MEMORANDUM

DATE: March 26, 2012

TO: The Honorable Members of the Delaware General Assembly

FROM: Robert D. Overmiller, Acting Chairperson
GACEC

RE: **House Bill No. 265 (Delaware Cancer Treatment Access Act)**

The Governor's Advisory Council for Exceptional Citizens (GACEC) has reviewed House Bill No. 265 which was introduced on January 25, 2012. As of March 1, it remained in the House Economic Development/Banking/Insurance/Commerce Committee. The legislative Website earmarks the bill with an incomplete fiscal note. The GACEC **strongly endorses** this bill.

A recent News Journal article and articles from other states describe the need for "parity" in cancer treatment by making drugs available in pill form available to patients at the same cost as traditional intravenous or injected anticancer treatment. The News Journal article recites as follows:

Cancer treatment is undergoing what (Dr. Stephen) Grubbs called a "revolution". Grubbs, who helped draft the legislation, said traditional chemotherapies often also kill healthy cells since the drugs douse the body in chemicals meant to kill rapidly dividing cells. Newer drugs, often available in oral form only, target cellular pathways or proteins specific to cancer cells, or trigger the immune system to fight them, sparing patients from negative side effects such as hair loss.

(Rep.) Hudson said cancer patients can spend up to four hours at a time, one to three days a week, receiving IV anti-cancer medications, and they have to be driven to and from appointments because of the potential for nausea. Oral drugs allow patients to receive treatment at home and go to work or live life as usual.

According to the January 18, 2012 NJ Spotlight article, the American Cancer Society offered similar commentary in support of New Jersey legislation signed by Governor Christie on January 17, 2012:

“Oral chemotherapy is truly the wave of the future in cancer care,” the American Cancer Society said in written testimony to the legislature. “Oral treatments offer patients distinct advantages over traditional intravenous chemotherapy, including the fact that they are targeted therapies which attack only the cancer cells, leaving healthy cells alone. There is no scientific or medical rationale for categorizing orally-administered drugs differently than IV drugs.”

This bill would require State-regulated health insurers with plans covering both prescriptions and major medical services to allow patients the option of “pill-based” therapy at no greater cost than intravenous or injected therapy. The News Journal article recites that similar legislation has been enacted in 15 other states and Washington, DC.

The April 1, 2010 analysis of the fiscal impact of this type of legislation in Connecticut is attached for your reference. Based on experience in other states, this analysis concluded that the legislation “would have no impact on the state budget”.

Thank you for your time and consideration of our position. Please feel free to contact me or Wendy Strauss should you have questions or concerns.

Enclosure