



Governor's Advisory Council for Exceptional Citizens (GACEC)
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MEMORANDUM

DATE: May 24, 2017

TO: The Honorable Members of the Delaware General Assembly

FROM: Dafne A. Carnright, Chairperson
GACEC

RE: **House Bill No. 120 (Health Insurer Cancer Treatment Coverage)**

The Governor's Advisory Council for Exceptional Citizens (GACEC) has reviewed House Bill No. 120 which will require health insurance policies to cover any medically appropriate drug approved by the FDA for the treatment of stage four metastatic cancer without requiring a patient to first prove that the patient failed to respond to a different drug or drugs. Council **endorses** the proposed legislation given the advantages of prompt access to effective cancer drugs.

It is estimated that 5,600 Delawareans will be diagnosed with cancer in 2017. Delaware women have the ninth-highest cancer death rate in the country. Unfortunately, some health insurers restrict access to the most effective treatments approved by the FDA. Instead, insurers may require patients to demonstrate failure to respond to a less efficacious drug regimen as a precondition of qualifying for cutting-edge treatments.

House Bill No. 120 would bar health insurers regulated by the Delaware Insurance Commissioner which cover treatment of stage four advanced metastatic cancer from limiting or excluding access to FDA-approved drugs. Patients would not be required to prove failure of other drugs or demonstrate a history of failed treatment using other drugs. The bill would affect both individual and group health insurance policies. It would apply to policies issued, delivered, renewed, modified, altered, or amended on or after September 1, 2017.

Thank you for your time and consideration of our endorsement. Please feel free to contact me or Wendy Strauss at the GACEC office should you have any questions.