



March 7, 2006

Dear Senator,

On behalf of the American Cancer Society and its millions of supporters and volunteers, we are writing to strongly oppose the latest version of S. 1955, the Health Insurance Market Modernization and Affordability Act of 2005. The Society has previously communicated our strong concerns with S. 1955, especially with regard to its impact on state benefit protections for patients. We understand that the Health, Education, Labor and Pensions Committee will mark up this version tomorrow.

The Chairman's mark departs from the introduced version of S. 1955, and from other association health plan bills, in one dramatic respect—not only does it exempt small business health plans from state guarantees for patient benefits and protections but it also exempts health insurers in the individual and large group markets from requirements to provide these state mandated benefits.

The American Cancer Society and many others have worked with state legislatures for years to ensure that essential insurance coverage is extended to as many citizens as possible. In one stroke, this bill would erase all that state legislatures have done to prevent and more effectively treat cancer by ensuring access to life-saving screenings for breast, colon, and prostate cancer, cancer specialists, coverage for evidence-based off-label prescription drug use, clinical trials, and proven smoking cessation services.

Passage of this legislation would represent a retreat in this nation's commitment to defeat cancer. Just recently, the American Cancer Society announced that, for the first time, the number of cancer deaths from one year to the next actually declined. Continued success in the war against cancer requires that we expand, not reduce, the number of people with access to critical cancer screenings, prevention services, and treatments.

Currently, citizens across the country are protected by a combined total of more than 130 state laws to ensure coverage for vital cancer screenings and treatments –access that has helped produce favorable health outcomes for people at risk for cancer or who already have cancer. Federal preemption of these coverage requirements will resurrect barriers to care that the American Cancer Society has worked tirelessly to break down.

We recognize the enormous difficulties that small businesses and their employees face in the health insurance market. Expanding the number of people with meaningful insurance coverage is a worthy goal for all of us, but we must be careful to make sure that we are delivering quality coverage in the process. Carving out more Americans from the protections afforded by their own states is not an acceptable price to pay.

The Chairman's mark allows insurers to vary coverage from state-required benefits if they also offer an optional plan with the same benefits as one of the plans offered to state employees in one of the five most populous states. We believe that in most instances the optional offering will be a wholly inadequate substitute for current state guarantees, even if chosen by the employer.

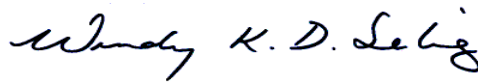
Last year, 92 Senators signed a letter to the President in support of the Administration's goal of eliminating suffering and death by the year 2015. Passage of S. 1955 would move us away from that goal, rather than toward it. Please reconsider allowing health insurers to bypass the judgment of the states regarding essential and life-saving cancer screenings and services. We encourage your support for any amendments to preserve access to crucial cancer prevention, screening and treatment services that may be offered during tomorrow's markup.

Thank you for taking cancer patients and all Americans at risk of cancer into consideration as you address these difficult issues. If you have any additional questions, please contact Jaimie Vickery, Senior Federal Representative (202-661-5720).

Sincerely,



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