

United States Senate
WASHINGTON, DC 20510-2310

April 23, 2020

The Honorable Mitch McConnell
Majority Leader
United States Senate
Washington, DC 20510

The Honorable Nancy Pelosi
Speaker
United States House of Representatives
Washington, DC 20515

The Honorable Charles Schumer
Minority Leader
United States Senate
Washington, DC, 20510

The Honorable Kevin McCarthy
Minority Leader
United States House of Representatives
Washington, DC 20515

Dear Majority Leader McConnell, Speaker Pelosi, Minority Leader Schumer, and Minority Leader McCarthy:

As Congress continues to take steps in its commitment to fight the coronavirus pandemic and provide the health resources needed to deliver quality care for all patients, we have become increasingly concerned about the lack of access to lifesaving medications during this health crisis. We write to urge House leadership to consider the implications of the COVID-19 pandemic on cancer patients seeking treatment during this emergency and include the bipartisan *Cancer Drug Parity Act (H.R. 1730/S. 741)* in the next coronavirus stimulus bill.

The *Cancer Drug Parity Act* has garnered bipartisan support in Congress with 129 bipartisan sponsors in the House and 17 bipartisan sponsors in the Senate. This bill would make life-improving and lifesaving oral cancer medications affordable for the millions of Americans suffering from cancer. This bill would make oral cancer drugs available at the same cost-sharing rate as traditional intravenous (IV) chemotherapy under federally regulated commercial health plans that already cover both oral and IV chemotherapy.

Nearly 40 percent of Americans will be diagnosed with cancer in their lifetimes. In 2020, there will be an estimated 1.8 million new cancer diagnoses and over 600,000 cancer deaths.¹ This is a terrible disease, but for many, the advances in oral cancer medications have made a real difference. This medicine is less intrusive than traditional IV treatments and allows patients to receive treatment in their homes. Furthermore, for many, oral cancer medications have turned what was once a death sentence into a manageable disease.

Cancer patients are uniquely at risk to contract COVID-19, influenza, and other infections due to their compromised immune systems. Recent data has shown that a cancer patient that becomes infected with COVID-19 has about a 6 percent case fatality rate, which is almost 7 times higher

¹ <https://cancerstatisticscenter.cancer.org/#/>

than an individual with no underlying diseases.² At a time when doctors are advising cancer patients to stay at home as much as possible, for some patients, switching to oral medications when medically appropriate may not be financially feasible.

While IV treatments are covered under a healthcare plan’s medical benefits, meaning moderate to minimal copays, oral cancer medications are self-administered and covered under pharmacy benefits. This means patients are required to pay a percentage of the medication’s overall cost, leading to high, often unaffordable copays. States have already started taking action to help these patients, with over 40 states and the District of Columbia enacting “oral parity” laws that stop health plans from creating separate cost-sharing plans for oral and self-administered cancer medicines. The *Cancer Drug Parity Act* would build on this work to prevent insurers from covering oral and self-administered medicines at different cost sharing rates than IV chemotherapy.

If cancer patients are able to stay at home and avoid treatments that require them to visit their provider for an IV chemotherapy treatment, these patients would be able to help flatten the curve and limit overwhelming their local health care system with additional, potentially fatal, complications from contracting COVID-19. This bipartisan bill would ease the concerns of vulnerable cancer patients, who are at greater risk of contracting COVID-19. .

While we have seen tremendous advances in the treatment of cancer in recent years, coverage of these cancer treatments has lagged behind. The COVID-19 pandemic is continuing to expose vulnerabilities in our health system that have created significant barriers for cancer patients’ access to care. As leadership begins to shape the fourth coronavirus stimulus bill, we hope that you will consider including the *Cancer Drug Parity Act*, even on a temporary basis during the length of the coronavirus public health emergency. We appreciate your consideration and collaboration as we continue to work together to improve the quality of health care for all Americans during this public health crisis.

Sincerely,

/s/ Tina Smith

Tina Smith
United States Senator

/s/ Jerry Moran

Jerry Moran
United States Senator

/s/ Angus S. King, Jr.

Angus S. King, Jr.
United States Senator

/s/ Richard Blumenthal

Richard Blumenthal
United States Senator

² <https://www.cdc.gov/coronavirus/2019-ncov/hcp/clinical-guidance-management-patients.html>

/s/ Tammy Baldwin

Tammy Baldwin
United States Senator

/s/ Edward J. Markey

Edward J. Markey
United States Senator

/s/ Shelley Moore Capito

Shelley Moore Capito
United States Senator

/s/ Lisa Murkowski

Lisa Murkowski
United States Senator

/s/ Amy Klobuchar

Amy Klobuchar
United States Senator

/s/ Kevin Cramer

Kevin Cramer
United States Senator

/s/ Doug Jones

Doug Jones
United States Senator

/s/ John Boozman

John Boozman
United States Senator

/s/ Kamala D. Harris

Kamala D. Harris
United States Senator

/s/ Jeanne Shaheen

Jeanne Shaheen
United States Senator