



April 12, 2006

Dear Chairman Enzi:

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.

S. 1955 departs from other association health plan bills in one dramatic respect—it exempts all private health insurers from existing state guarantees of critical patient benefits and protections. Other versions of this legislation only extend this exemption to association health plans.

This wholesale preemption of state legislatures' efforts to ensure essential insurance coverage would resurrect barriers to care that the American Cancer Society has worked to break down for many years. Laws in 49 states that require insurance coverage for mammograms are just one example of the more than 130 laws nationwide that ensure coverage for life-saving cancer screenings and treatments.

S. 1955 would erase guaranteed access to screenings for breast, colon, and prostate cancer, as well as cancer specialists, and coverage for evidence-based off-label prescription drug use, ground-breaking clinical trials, and proven smoking cessation services.

We recognize the difficulties that small businesses and their employees face in the health insurance market. We also share your sense of urgency to extend affordable insurance policies to employers for whom coverage is financially inaccessible. The American Cancer Society, however, believes that denying currently insured employees the protections afforded by their own states, thereby eroding the quality of existing coverage, is an unacceptable tradeoff.

While the bill would require that insurers offer employers an optional plan similar to a state employee plan in one of the five most populous states, the wide range of costs and benefits under these plans means that there is no assurance that an optional offering would be an acceptable substitute for current coverage—even if employers were to choose it.

Passage of S. 1955 would represent a significant 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.

Last year, 92 Senators signed a letter to the President in support of the Administration's goal of eliminating suffering and death due to cancer by the year 2015. Passage of S. 1955 would move us away from that goal, rather than toward it.

Thank you for taking cancer patients, and all Americans at risk of cancer, into consideration should S. 1955 come to the floor of the Senate. If you have any additional questions, please contact Jaimie Vickery, Senior Federal Representative (202-661-5720).

Sincerely,

Handwritten signature of Daniel E. Smith in black ink.

Daniel E. Smith  
National Vice President  
Federal and State Government Relations

Handwritten signature of Wendy K. D. Selig in black ink.

Wendy K. D. Selig  
Vice President  
Legislative Affairs