

Human Services Committee JOINT FAVORABLE REPORT

Bill No.: HB-6628

Title: AN ACT CONCERNING MEDICAID COVERAGE OF BIOMARKER TESTING.

Vote Date: 3/2/2023

Vote Action: Joint Favorable Change of Reference to Appropriations

PH Date: 2/14/2023

File No.:

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SPONSORS OF BILL:

Human Services Committee

REASONS FOR BILL:

This bill will provide Medicaid coverage for biomarker testing for the purpose of diagnosis, treatment, appropriate management or ongoing monitoring of a Medicaid enrollee's disease or condition. This testing will provide providers with enhanced information with which to make effective treatment decisions for patients. It requires the DSS Commissioner, to the extent permissible under federal law, to provide Medicaid coverage for biomarker testing for the purpose of diagnosis, treatment, appropriate management, or ongoing monitoring of an enrollee's disease or condition.

The Commissioner must condition test coverage on medical and scientific evidence supporting it including (1) FDA approval of the test or recommendations on FDA-approved drug labels to conduct the test, (2) national or local coverage determinations for Medicare Administrative Contractors by CMS, or (3) nationally recognized clinical practice guidelines and consensus statements. The Commissioner must provide online access to Medicaid enrollees and providers to a clear, readily accessible, and convenient process to request an exception to a prior authorization requirement or other coverage policy provision for biomarker testing.

RESPONSE FROM ADMINISTRATION/AGENCY:

Department of Social Services (DSS), Director of Medicaid and Division of Health Services, Gui Woolston; opposes this bill as DSS currently covers biomarker testing and biomarkers not explicitly covered can be covered and reimbursed when deemed medically necessary. It is stated maintaining the requirement for prior authorization is important as it ensures DSS can continue to validate the clinical utility of the service being requested. It is

stated DSS routinely reviews established policies and procedures, including those used for determining coverage of laboratory services, and makes necessary updates utilizing evidence that supports changes to clinical standards.

NATURE AND SOURCES OF SUPPORT:

Advanced Medical Technology Association (AdvaMed), Director, State Government and Regional Affairs, Roxy Kozycky; supports the bill stating that testing patients for specific biomarkers is integral to precision medicine in cancer care. It is stated that despite evidence pointing to the benefits, testing rates fall behind clinical guideline recommendations. It is also stated that advances in biomarker testing and cancer treatments now allow for targeted cancer therapies that can improve patient survival and quality of life. It is stated that timely access to appropriate biomarker testing will result in better health outcomes, advance health equity, and reduce costs.

American Cancer Society Cancer Action Network (ACS CAN), Connecticut Government Relations Director, Bryte Johnson; supports this bill because biomarker testing is an important step to accessing precision medicine which includes targeted therapies that can lead to improved survivorship and better quality of life for cancer patients. It is stated it can also result in reduced costs due to bypassing ineffective treatments and identifying patients at low risk of disease progression who may choose to forgo aggressive treatment. It is stated some communities are being left behind from the latest advancements in biomarker testing and precision medicine. It is stated that aligning Medicaid coverage of biomarker testing with scientific and medical evidence will ensure more people can benefit from the most effective treatments for their condition.

American Lung Association Connecticut, Director, Advocacy, Ruth Canovi, MPH; supports the bill sharing that a comprehensive biomarker testing allows doctors to identify abnormalities in a tumor's DNA, which in turn helps healthcare providers determine the best course of treatment for cancer patients. It is stated that studies show that lung cancer patients that have access to biomarker testing, and can receive targeted therapy treatments, will have better overall chances of survival. It is stated increasing coverage of biomarker testing will improve health equity in Connecticut and make cancer care more affordable and accessible for patients.

Biotechnology Innovation Organization, Director, State Government Affairs, Laura Srebnik; supports the bills stating that access to biomarker testing should not be delayed and may lead to worse outcomes for patients. It is stated that if patients do not have access to biomarker testing, they may not be offered life-saving targeted therapies that can improve their overall health outcome. It is stated that if access to a particular therapy is dependent upon a specific biomarker coverage, then policies must reflect the new advances in treatment and that coverage policies should never stand in the way of access to treatment.

International Foundation for Autoimmune and Autoinflammatory Arthritis, Public Policy Manager, Lindsey Viscarra; supports the bill because biomarker testing connects patients with the most effective treatments. It is stated that while biomarker testing originated in cancer care, it is being used for other conditions such as autoimmune disease.

The Jackson Laboratory for Genomic Medicine, Director of Government and Community Relations, Lisa Roy; supports the bill stating that expanding coverage through Medicaid can address the insurance and financial barriers that contribute significantly to this unequal access.

Lupus and Allied Diseases Association, President & CEO, Kathleen Arntsen; supports this bill stating having access to appropriate medication can improve disease outcome and quality of life. It is stated potential to reduce health disparities and inequities for communities of color, individuals with lower socioeconomic status, rural communities, disabled populations, and those receiving care in non-academic medical centers.

Stamford Health, President & CEO, Kathleen Silard; supports this bill as the identification of biomarkers can be critical in establishing an effective course of treatment in medical oncology and other areas of healthcare. It is stated that Medicaid patients should have access to the same medical advances as commercial and self-pay patients.

Connecticut Resident, Niantic, Jo-el Fernandez; supports this bill stating that timely access to appropriate biomarker testing can help achieve better health outcomes, improve quality of life and reduce costs by connecting patients to the most effective treatment for their cancer. It is stated that without action to expand coverage and access to biomarker testing, advances in precision medicine could increase existing disparities in cancer outcomes by race, ethnicity, income, and geography.

One person submitted testimony anonymously in support of this bill.

NATURE AND SOURCES OF OPPOSITION:

None stated.

Reported by: Isaac Agyemang-Duah

Date: March 8, 2023