

## Member Involvement is Key to ACCC's Legislative Success

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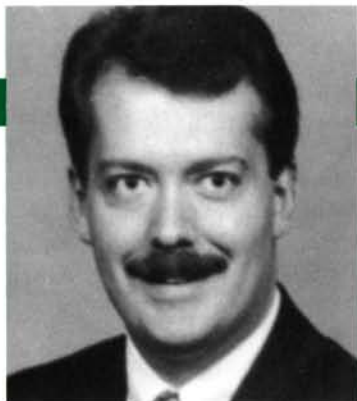
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**A** physician legislator recently told me something that bears repeating. He said the one message he would send to his physician brethren about working with legislation is, "You can't just write the order and walk away." In other words, once you introduce a piece of legislation, you must do personal follow up to see that it gets the necessary support to be enacted. Many people, especially with prevailing negative attitudes toward Congress, don't want to take the time to get involved in what they see as "politics."

Politics has a dirty image. But the legislative process is not nearly as partisan or unseemly as many imagine. At the state level, legislators are in a position to consider and pass laws that truly address the concerns of their constituents. They are closer to their districts and therefore more accessible to voters than their federal counterparts. As a result, state legislators take the opinions of their constituents very seriously. (That's not to say that federal elected officials don't, but they spend a great deal of time in Washington and they have more staff who serve as gatekeepers of information.)

This is why the involvement of everyone on the cancer treatment team makes all the difference in whether the ACCC off-label drug legislation gets passed into law or is merely an exercise in futility. Now, more than ever, state legislators are eager to separate themselves from Congress. The uniform off-label drug legislation gives your legislators an opportunity to show their constituents that they listen and they care. That's a big deal in an election year and, remember, insurance companies may have a lot of money to spend, but they don't vote.

The need for involvement is understood by many in the cancer field in Illinois. Senate Bill 1533 is on the verge of being

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signed into law by Governor Jim Edgar after receiving unanimous votes of approval by both the House and Senate. This represents a major victory for cancer patients and those who deliver their care. Illinois will join Michigan and New York as the only states with a law on the books requiring the reimbursement of off-label cancer drugs that are recognized in the three major compendia or in peer-reviewed literature.

What is more significant than passing the legislation itself is the fact that not a single member of the Illinois legislature voted against the bill in either committee or floor voting, despite the opposition of the Illinois Life Insurance Council at the time of the first hearing. Through the efforts of a broad-based coalition of physicians, nurses, and cancer survivors, a compromise was hammered out that led to the withdrawal of any opposition to the bill. But what really set the stage for the negotiations was the formidable support that already had been expressed for the bill through phone calls and letters. When we can speak with a unified voice, it will be heard over the objections of the big money insurance lobby.

Illinois may be leading the way, but California is not far behind. Testimony given by Dr. Cary Presant, President of the Southern California Medical Oncology Association, as well as myself, Assemblywoman Jacqueline Speier, and the Life AIDS Lobby, convinced the Senate Insurance Committee to approve AB 1985 by a 6 to 1 margin. Again, this occurred despite the objections of the insurance industry. Middle ground was found with the HMO industry, which

withdrew its opposition to the legislation during a June 17 hearing.

At this time, it appears that the bill may require a hearing by the Senate Appropriations Committee. If not, it will go directly to Gov. Pete Wilson for his signature. ACCC members are urged to write to Governor Wilson. If you did not receive information on this letter writing campaign, please call (614) 848-5404 for more information on how you can help with AB 1985.

In Massachusetts, no action is expected on Senate Bill 689 until after the November elections. A hectic lame duck session of the legislature is planned for late November and December when many items under consideration will be passed in a short period of time. It is important for the proponents of this version of the uniform off-label drug legislation to communicate their support of this measure to their elected officials.

There are many uncertainties as we head into the national elections in November. The country is facing problems that are as great as any it has faced before. On Capitol Hill, dozens of health care reform plans are under consideration. I believe the one certainty in all of the uncertainty is that the states are unwilling to wait any longer for Washington to provide leadership on these issues. The ability and willingness of state legislatures to deal head on with these problems provides many opportunities for cancer care providers and cancer survivors to advance our agenda and to find out that hard work can result in the same success as our friends in Illinois will soon enjoy. 