



## In the News

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## IL Off-Label Legislation Awaits Governor's OK

After passing the House of Representatives on June 11 by a margin of 115 to 0, Senate Bill 1533 is now on Illinois Governor Jim Edgar's desk waiting to be signed into law. The bill previously received unanimous approval by the full Senate. The Governor is expected to endorse the legislation.

The bill states that no policy that provides coverage for prescription drugs approved by the FDA for the treatment of cancer shall exclude coverage of any drug on the basis that it is being used in an off-label fashion. However, it must be an FDA-approved cancer drug and be recognized in one of the three standard drug compendia for that particular off-label use. If it is not recognized in the compendia, it must be covered if recommended for that particular type of cancer in formal clinical studies published in at least two peer-reviewed professional medical journals in the United States or in Great Britain. The bill applies only to cancer drugs.

The ACCC worked closely with the Illinois Medical Oncology Association, the Illinois Hospital Association, the Illinois Division of the American Cancer Society, the Oncology Nursing Society, the Illinois Cancer Center, the Illinois Medical Society, and the National Coalition for Cancer Survivorship to educate members of the legislature on the need for a change in the law. It was this teamwork and broad-based support for the bill which led to early commitments of support by many legislators. This was crucial in negating the insurance industry's opposition. In fact, negotiations among the interested parties successfully removed all opposition to the bill and paved the way for overwhelming votes of support by the usually "industry-friendly" insurance committees in both the House and the Senate.

The bill's lead sponsor, State Senator Penny Severns (D-Decatur) made good on her promise to fight for its passage. Her strong leadership, coupled with the clear message of support from the bill's proponents, made the battle winnable. State Representative John Dunn (D-Decatur) delivered the bill through the House with ease and sealed the legislative effort.

The President of the Illinois Medical Oncology Society, James L. Wade, III,

M.D., is "personally very delighted that this bill has been passed unanimously by both the Illinois House and Senate. It's a clear signal that the elected officials in Illinois truly recognize their cancer patient constituencies and listen."

## GAO Continues Cancer-Related Studies

The General Accounting Office (GAO) has completed one new study related to its previous report on off-label drug use by oncologists and it is beginning a major international, comparative study of cancer.

The most recent study, "Medicare: Reimbursement Policies Can Influence the Setting and Cost of Chemotherapy," examines one particular finding from the GAO's 1991 off-label drug study; namely that 62 percent of the respondents reported that they admit patients to the hospital solely to circumvent restrictions imposed by reimbursement policies. A follow-up

survey of the same physicians yielded almost identical results: 61 percent reported that they do hospitalize patients solely for reimbursement purposes.

GAO has also launched an international comparative quality of care study. The GAO will be looking at new expensive, effective therapies (bone marrow transplantation, carboplatin, granulocyte colony stimulating factors, and ondansetron) and the criteria used in various countries for prescribing these therapies. The study will also examine differences in patients' outcomes because of the therapy, and the clinical characteristics of the patients being treated with these particular therapies. Participating countries will include the United Kingdom, France, Germany, Sweden, Holland, Belgium, Australia, and Canada.

Copies of the GAO report on reimbursement policies (GAO/PEMD 92-28) are available from the U.S. General Accounting Office, P.O. Box 6015, Gaithersburg, MD 20877. Orders may also be placed by calling (202) 275-6241.

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