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ASSOCIATION FOR CLINICAL ONCOLOGY
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WAHO Annual Conference Legislative Update

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Disclosure of Conflicts of Interest

- Aaron Segel has no relevant financial relationships to disclose.

ASCO's Advocacy Priorities

Access to Affordable Health Care
for Patients and Survivors

Promote Quality and Efficiency of
Care

Support Patient Participation in
Clinical Research

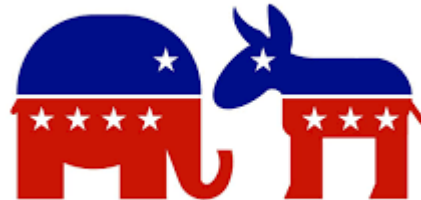
Federal Activity: Setting the Stage

- Factors Impacting Ability to Move Legislation Right Now
 - September 30 Deadlines
 - Appropriations
 - UFAs
 - Medicare Reimbursement Cuts
 - Members out with COVID
 - Largely virtual work
 - Virtual hearings/markups
 - House proxy voting
 - Capitol not fully open to visitors
 - Few legislative days remaining



Political Landscape - Federal

- House of Representatives: 220 Democrats, 211 Republicans
 - Simple majority to pass legislation, bills can pass without being bipartisan
- Senate: 50 Democrats, 50 Republicans
 - Most pieces of legislation require 60 votes, requiring bipartisanship



2022 Midterm Elections Landscape

- House Projections: *Inside Elections* projects 12-30 seat gain for Republicans
- Senate Projections: *Inside Elections* projects range of Republicans +1 seat to Democrats +1 seat



Medicare Reimbursement Cuts

- CY23 Medicare Physician Fee Schedule (MPFS) proposes to cut the Medicare conversion factor by 4.5%.
- Combined with PAYGO reduction and termination for 2% sequestration moratorium, this creates a 10% reduction in revenue. ASCO, in conjunction with the House of Medicine is asking Congress to:
 - Provide at least a 4.5% conversion factor adjustment for 2023
 - Waive the 4% statutory PAYGO requirement
 - Eliminate the 2% sequestration cuts to Part B services
 - Provide a one-year inflationary update based on Medicare Economic Index

Prior Authorization (H.R. 3173/S. 3018)

- 2022 Summit priority
- 311 House cosponsors
- 39 Senate cosponsors
- OIG Report
- E&C Oversight hearing
- W&M markup
- ASCO grassroots
- Politico Ads & Social Media



Appropriations

- FY2023 Bills
- NIH:
 - **House bill (passed Committee):** \$47.46 billion, a \$2.5 billion increase, does not include ARPA-H (\$2.75 billion for ARPA-H outside of NIH)
 - **Senate bill (introduced):** \$47.96 billion, a \$2 billion increase to the baseline, plus \$1 billion for ARPA-H
 - **Our ask:** *\$49.05 billion, a \$4.1 billion increase*
- NCI:
 - **House bill (passed Committee):** \$7.38 billion
 - **Senate bill (introduced):** \$7.2 billion
 - **Our ask:** *\$7.76 billion*



DIVERSE Trials Act (H.R. 5030/S. 2706)

- Clarifies existing FDA & IRB guidance allowing trial sponsors to cover ancillary costs
- Allows trial sponsors to provide technology to facilitate remote trial participation
- Requires HHS to issue guidance on conducting decentralized clinical trials
- ASCO's 2018 Policy Statement "Addressing Financial Barriers to Patient Participation in Clinical Trials" called for many of these changes

Ancillary costs associated with clinical trial participation can add to patient out-of-pocket costs and deter enrollment.



The Telehealth Modernization Act (H.R. 1332/S. 368)

- Medicare requires a patient to live in a rural area and to utilize telehealth in a doctor's office or clinic
- The TMA permanently removes geographic and originating site restrictions
- Increases access to telemedicine care for patients with Medicare



State Advocacy Engagement/Activity

Working with States Affiliates

- Prior Authorization
- Step Therapy
- Copay Accumulators
- Drug Affordability Boards/Upper Payment Limits
- Fertility Preservation
- Telemedicine
- Medicaid Expansion



Political Landscape - Wisconsin

- Governor: Tony Evers (D)
- Assembly: 61 Republicans, 38 Democrats
 - Speaker Robin Vos (R)
- Senate: 21 Republicans, 12 Democrats
 - Senate President Chris Kapenga (R)



ASCO/WAHO Direct Engagement

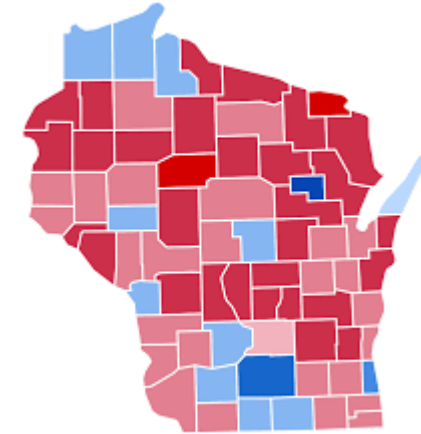
- **Step Therapy** AB 745 (Lisa Subeck - D) Banning step therapy for patients with cancer – Hearing held in Assembly Health Committee 2/16/2022. Failed to pass.
- **Copay Accumulators** AB 184 (Paul Tittl - R) Banning copay accumulators in health plans – Hearing held in Assembly Health Committee 2/16/2022. Failed to pass.
- **Short-term Plans** (Adam Neylon - R) Expanding use of short-term limited duration plans – Hearing held 8/10/2021. Failed to pass.

Wisconsin Bills Monitored

- **Fertility Preservation** AB 747 (Jodi Emerson - D) Requires health plans to provide fertility preservation services for patients with cancer. Failed to pass.
- **Drug Pricing** SB 540 (Jeff Smith - D) Creates Prescription Drug Affordability Board with authority to set upper payment limits for high-cost drugs. Failed to pass.
- **Medicaid Expansion** SB 439 (Jon Erpenbach - D) Failed to pass.

Wisconsin Election Preview

- Governor:
 - Tony Evers (D-incumbent) vs Tim Michel (R)
 - RCP Polling Average (Evers + 1.6 percent)
- U.S. Senate
 - Ron Johnson (R-incumbent) vs Mandela Barnes (D)
 - RCP Polling Average (Barnes + 4.3 percent)
- State Assembly/State Senate
 - All 99 Assembly seats and 33 Senate seats are up



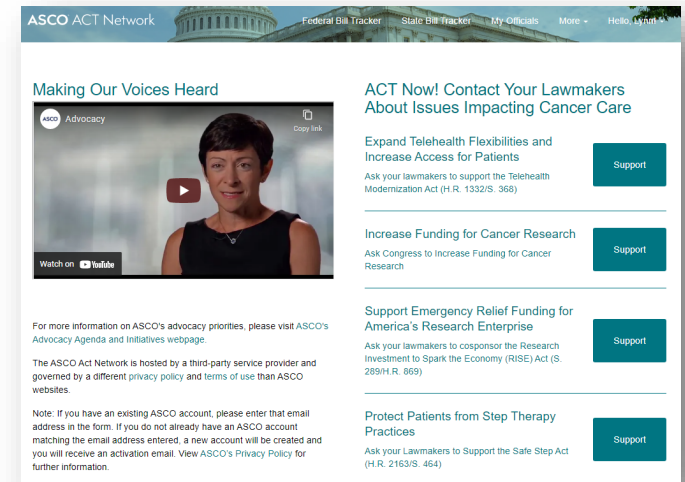
ASCO Advocacy: Get Involved!

ASCO[®] ACT Network

- Action alerts with ASCO position on key bills
- Provides draft messages you can personalize and send to your lawmakers
- Place the ACT Network widget on your website
- Provide link to ACT Network in society newsletters
- Visit www.asco.org/ACTNetwork

Advocacy at Home

- Meet with your lawmakers while they are back in the state or district (currently taking place virtually)
- Contact grassroots@asco.org to participate



The screenshot displays the ASCO ACT Network website interface. At the top, there is a navigation bar with links for 'Federal Bill Tracker', 'State Bill Tracker', 'My Officials', 'More', and 'Hello, Lynn'. The main content area is titled 'Making Our Voices Heard' and features a video player with a woman speaking. To the right, there are three sections for contacting lawmakers:

- Expand Telehealth Flexibilities and Increase Access for Patients:** Ask your lawmakers to support the Telehealth Modernization Act (H.R. 1332/S. 368). Includes a 'Support' button.
- Increase Funding for Cancer Research:** Ask Congress to Increase Funding for Cancer Research. Includes a 'Support' button.
- Support Emergency Relief Funding for America's Research Enterprise:** Ask your lawmakers to cosponsor the Research Investment to Spark the Economy (RISE) Act (S. 289/H.R. 869). Includes a 'Support' button.

At the bottom, there is a note: 'Note: If you have an existing ASCO account, please enter that email address in the form. If you do not already have an ASCO account matching the email address entered, a new account will be created and you will receive an activation email. View ASCO's Privacy Policy for further information.'

Questions?

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