



April 25, 2023

RE: Support for S.689/H.1074 An Act relative to patient access to biomarker testing to provide appropriate therapy

Dear Chair Feeney and Chair Murphy:

The National Comprehensive Cancer Network® (NCCN®) appreciates the opportunity to comment on S.689/H.1074, an act relating to patient access to biomarker testing to provide appropriate therapy. Biomarkers Testing is of paramount importance as it relates to NCCN's mission of improving and facilitating, quality, effective, equitable, and accessible cancer care. NCCN will focus our supportive comments on the importance of comprehensive biomarker testing for residents of Massachusetts and the role of clinical practice guidelines in determining appropriate care.

NCCN Background

As an alliance of 33 leading academic cancer centers in the United States, including Dana-Farber/Brigham and Women's Cancer Center | Massachusetts General Hospital Cancer Center, NCCN® is a developer of authoritative information regarding cancer prevention, screening, diagnosis, treatment, and supportive care that is widely used by clinical professionals and payers alike. The NCCN Clinical Practice Guidelines in Oncology (NCCN Guidelines®) are a comprehensive set of guidelines detailing the sequential management decisions and interventions that currently apply to 97 percent of cancers affecting patients in the United States. NCCN Guidelines® and Library of Compendia products help ensure access to appropriate care and are used by payers representing more than 85% of covered lives in the United States including CMS. NCCN imposes strict policies to shield the guidelines development processes from external influences. The guidelines development is supported exclusively by the Member Institutions' dues and does not accept any form of industry or other external financial support for the guidelines development program. The NCCN Guidelines are updated at least annually in an evidence-based process integrated with the expert judgment of multidisciplinary panels of expert physicians from NCCN Member Institutions. The NCCN Guidelines are transparent, continuously updated, available free of charge online for non-commercial use and are available through a multitude of health information technology (HIT) vendors.

NCCN Biomarkers Compendium®

The NCCN Guidelines include biomarkers used for the purposes of diagnosis, screening, monitoring, surveillance, prediction, therapeutic decision-making, and prognostication. The NCCN Biomarkers Compendium® contains biomarker information derived directly from the NCCN Guidelines to support decision-making around the use of biomarker testing in patients with cancer and is intended to be a resource for payers, providers, and health care entities navigating the rapidly changing evidence base for medically necessary biomarker testing in oncology. Information is provided in a searchable database that is updated continuously in conjunction with the NCCN guidelines to remain evergreen. In addition to providing information regarding clinical indication(s) for specific biomarker testing, the NCCN Biomarkers Compendium provides essential details for testing methodologies recommended within the NCCN Guidelines.

Biomarker Testing Impact on Cancer Care Outcomes

Numerous independent studies have found adherence to NCCN Guidelines improves care delivery and outcomes for patients with cancer. In the biomarker space, numerous studies have found that access to guideline adherent biomarker testing can improve overall survival with appropriately utilized targeted therapy in the first-line setting and later lines of treatment.¹ Guideline adherence for both treatment and biomarker testing has also been shown across numerous studies to decrease costs to payers and patients.^{2,3,4,5} Non-adherence to guidelines has also been identified as a key contributor to inequities in care outcomes across race and ethnicity with some studies finding these disparities greatly reduced or eliminated when guideline adherent care is received.^{6,7} Adherence to nationally-recognized guidelines improves care outcomes including quality of life and overall survival, may reduce inequities in care outcomes, and reduces cost of care to both the payer and the patient.

Despite a wide body of literature supporting the need for guideline adherent biomarker testing, coverage, and access to appropriate biomarker testing is still widely variable leaving many patients unable to access appropriate care. A 2022 study evaluated publicly available insurance policies for biomarker testing and found that 71% of plans were more restrictive than NCCN Guideline recommendations.⁸ This critical care gap must be addressed to ensure all people can access optimal cancer care. S.689/H.1074 creates coverage for appropriate biomarker testing that adheres to nationally recognized evidence-based clinical practice guidelines. As such, NCCN is pleased to support S.689/H.1074.

NCCN Supports Comprehensive Biomarkers Testing

NCCN recommends covering biomarker testing as delineated in nationally recognized clinical practice guidelines. NCCN would like to note that the most recent versions of our Guidelines are always available on our website. As NCCN Guidelines and the Biomarkers Compendium are continuously updated to stay current with the evidence, NCCN encourages your committee to refer to the current recommendations and Guideline versions on the NCCN website as a health policy tool to ensure those decisions are up to date with the standard of care.

NCCN appreciates the opportunity to comment on and support S.689/H.1074. We are proud to support this legislation in concurrence with our Massachusetts member institution, Dana-Farber/Brigham and Women's Cancer Center | Massachusetts General Hospital Cancer Center. As a nationally recognized clinical guidelines organization, NCCN is happy to serve as a resource during the legislative process. We look forward to working together to ensure access to high-quality cancer care.

Sincerely,



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References

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