



March 10, 2023

Representative Lindsey Daugherty, Chair
House Committee on Health and Insurance
Colorado General Assembly
200 E Colfax Avenue
Denver, CO 80203

Dear Chair Daugherty and Members of the House Committee on Health and Insurance,

The Rocky Mountain Oncology Society (RMOS) and the Association for Clinical Oncology (ASCO) are committed to supporting policies that reduce cost while preserving access to quality cancer care. However, we are concerned that HB 1225, if passed, would jeopardize access to necessary care for Colorado patients with cancer. We appreciate your commitment to lowering costs and would like to work with you on the best path forward for patients who face this life-threatening disease.

Formed in 1991, RMOS is a diverse community of oncology professionals whose mission is to promote the highest professional standards of oncology, research and exchange information and ideas leading to improvements in oncology. ASCO is the world's leading professional society representing physicians who care for people with cancer. With nearly 45,000 members, our core mission is to ensure that patients with cancer have meaningful access to high quality, equitable cancer care.

Life-saving treatments for cancer often include use of high-cost drugs, the very ones targeted by HB 1225. Cancer patients are uniquely vulnerable and often have a narrow window of time for a successful outcome. Section 6 removes language that would have given patients and physicians the ability to appeal a decision of the board. If doctors and patients must endure a lengthy judicial review process before they can access a drug, some of Colorado's sickest patients will suffer severe consequences.

Oncologists do not set or control drug prices; they offer their patients the most appropriate, evidence-based treatment that will ensure the best outcome for an individual cancer patient and their specific disease.

We are concerned that over time, the upper payment limit as proposed could impact access to care. It is our understanding that under the upper payment limit proposal, physician practices will be reimbursed the amount they pay to purchase the drug, with no reimbursement to cover the significant costs associated with drug treatments in physicians' offices, including the cost of procuring, storing, preparing, and handling the drugs. We recommend that the bill include an add on payment to help offset the actual costs incurred for procuring, storing, preparing, and handling highly toxic agents.

The removal of the 12-drug cap in Section 5 and the lower drug cost review threshold in Section 4 would increase the likelihood that practices will absorb significant financial losses that will curtail their ability to treat patients. We encourage the Committee to consider the impact these amendments will have on Colorado cancer practices.

RMOS and ASCO are concerned that the upper payment language in HB 1225 will have a harmful impact on cancer care providers in Colorado and the patients they treat. We urge you to consider the unintended consequences of this legislation. For a more detailed understanding of our recommendations on this issue, we invite you to read the [ASCO Position Statement on Addressing the Affordability of Cancer Drugs](#). If you have questions or would like assistance on any issue involving the care of individuals with cancer, please contact Sarah Lanford at Sarah.Lanford@asco.org.

Sincerely,

Tejas Patil, MD
President
Rocky Mountain Oncology Society

A handwritten signature in black ink, appearing to read "Lori J. Pierce MD". The signature is fluid and cursive, with the first letters of each word being capitalized and prominent.

Lori J. Pierce, MD, FASTRO, FASCO
Chair of the Board
Association for Clinical Oncology