



American Cancer Society Cancer Action Network

2021-2022 Legislative Agenda

An Act relative to fail first and patient safety

Fail First rules prevent patients from accessing the treatment prescribed by their health care provider until they first try and fail on one or more alternative drugs. Fail First policies can make patients sicker by delaying access to the most effective treatment. The time spent trying and failing on one or more medications can lead to disease progression and increase health care costs. This bill would ensure Fail First protocols are based on clinical guidelines and provide for a transparent exceptions and appeals process for health care patients and providers.

An Act empowering health care consumers

Selecting a health insurance plan is one of the most important decisions a person must make. Yet without complete and accurate information, consumers run the risk of picking the wrong plan, one that may not cover all of their medications at a price they can afford. While the cost of a drug can vary significantly depending on the source, consumers who are increasingly facing co-insurance (rather than a fixed co-pay) must know the list of drugs covered, the cost to the patient in real dollars, and the process for getting a particular drug covered before they can choose the plan that best meets their needs. This bill would require plans to provide this information in a uniform way, resulting in better choices, better coverage, and better care for healthcare consumers.

An Act ensuring access to clinical trials

Clinical trials are the key step in advancing potential new cancer treatments from the research setting to the clinic, and patient participation in trials is crucial to this success. Most patients express a willingness to participate in clinical research, yet only a small fraction ultimately enrolls in cancer clinical trials because of barriers that make participation difficult or even impossible. Among those barriers is often health insurance that excludes coverage for patients in clinical trials. Currently the Medicaid program is one of the few remaining insurance programs in the U.S. that is not required to cover routine care for patients in cancer clinical trials. This bill would ensure coverage of routine care for MassHealth beneficiaries enrolled in clinical trials to treat cancer or other life-threatening conditions.

An Act relative to tobacco premium ratings

Under the Affordable Care Act, health insurers may charge smokers up to 50 percent more than non-smokers through a tobacco surcharge. Although it is allowed, not all states implement this charge. In Massachusetts, the decision is made each year by the Commissioner of the Division of Insurance. This bill would end that practice and instead ensure that tobacco users have access to affordable insurance that covers the evidence-based tools needed to help them quit.

An Act protecting youth from nicotine addiction

Regularly increasing the price of cigars and cigarettes is one of the most effective ways to help smokers quit and prevent kids from starting. This bill would increase the tax on cigarettes by \$1 per pack, bringing it up to \$4.51, and increase the tax on cigars from 40% of wholesale to 80%. History and evidence show that this will reduce the smoking rate, saving some of the more than \$4 billion in health care costs annually attributed to tobacco use in Massachusetts, and most importantly, save lives.

An Act relative to expanding access to healthy food choices in vending machines on state property

Traditional vending machines sell snacks and beverages high in sugar, trans fat, saturated fat, and salt, with little nutritional value. This bill would improve access to healthy foods and beverages by requiring vending machines on public property (like in public buildings, parks, and recreation centers) to include healthy options.

An Act to promote healthy alternatives to sugary drinks

Sugary drinks contribute to obesity, which has been associated with an increased risk of cancer development and recurrence, as well as decreased risk of survival, for many cancers. Sugary drinks are the leading source of added sugar and one of the leading sources of calories in American diets. About 50 percent of the population consumes at least one sugary drink each day, with about 10 percent of youth consuming three or more. Nearly 40 percent of all added sugars come from sugary beverages. This bill would place an excise tax on sugary drinks that contain added sugar to reduce consumption.

Annual State Budget Priorities

Breast and Cervical Cancer Screening: ACS CAN will advocate for sufficient funding for the breast and cervical cancer screening program within the Department of Public Health to meet the needs of all eligible residents.

Healthy Incentives Program (HIP): ACS CAN will advocate for continued funding for the healthy incentives program within the Department of Transitional Assistance.

Pediatric Palliative Care: ACS CAN will advocate for continued funding for the pediatric palliative care program within the Department of Public Health.

Prostate Cancer Research, Education and Awareness: ACS CAN will advocate for continued funding for the prostate cancer research, education and awareness program within the Department of Public Health.

Tobacco Cessation and Prevention Funding: ACS CAN will advocate for a minimum of level funding for the tobacco cessation and prevention program within the Department of Public Health.

For more information, contact:

Marc Hymovitz • Massachusetts Government Relations Director
American Cancer Society Cancer Action Network
• marc.hymovitz@cancer.org • 781.361.9661 •

The American Cancer Society Cancer Action Network (ACS CAN) is making cancer a top priority for public officials and candidates at the federal, state and local levels. ACS CAN empowers advocates across the country to make their voices heard and influence evidence-based public policy change as well as legislative and regulatory solutions that will reduce the cancer burden. As the American Cancer Society's nonprofit, nonpartisan advocacy affiliate, ACS CAN is critical to the fight for a world without cancer. For more information, visit www.fightcancer.org