

## Biomarker Defense Campaign

### Senate Calls

#### Step 1

Look up the name and Albany Capitol phone number of your **New York State Senator** using [this link](#).

<https://act.fightcancer.org/a/find-your-elected-officials>

#### Step 2

Call your State Senator and ask to speak with a member of their legislative team. Identify yourself as a constituent. If they cannot come to the phone, ask for a call back.

Once you get someone on the phone here is what to say...

*“I am calling as a constituent to speak with you about the language in the governor’s executive budget that would roll back important Medicaid coverage for biomarker testing.*

*The governor’s proposal would reverse this gain for health equity by eliminating the established coverage criteria for Medicaid enrollees.*

*Biomarker testing is key to matching some patients with the most effective treatment for cancer and other diseases.*

*The governor’s proposal would reverse this gain for health equity by taking coverage away from Medicaid enrollees, while people with private insurance are not impacted.*

*It is critical that this proposal is not included in the Senate one house budget.*

*This is a shortsighted effort to save money that hurts patients – and could potentially cost Medicaid more.”*

#### Step 3

Email [michael.davoli@cancer.org](mailto:michael.davoli@cancer.org) and let me know how the call went

#### **Here is the background information.**

- **New York Governor Hochul’s budget proposes addressing Medicaid funding cuts in part by rolling back important Medicaid coverage for biomarker testing.**
- **The governor’s proposal would reverse this gain for health equity by eliminating the established coverage criteria for Medicaid enrollees.** Biomarker testing is key

to matching some patients with the most effective treatment for cancer and other diseases.

- The proposal would eliminate all evidence criteria from current law and allow all coverage and medical necessity determinations to be at the department's discretion.
- *The projected savings of \$50M/year suggests the agency anticipates significant cuts to what, if any, biomarker testing is covered.*
- The legislature passed this legislation in 2023 with overwhelming, bipartisan support – ensuring equitable access to proven biomarker testing for both Medicaid and state-regulated private plans. After a year of intense lobbying, Gov. Hochul ultimately signed this into law.
  - **The governor's proposal would reverse this gain for health equity by taking coverage away from Medicaid enrollees**, while people with private insurance are not impacted.
- The legislature has started hearings on the budget proposals and one-house budgets are due in early March. It is critical that we ensure this proposal is not included in the one house budgets.
- **This is a shortsighted effort to save money that hurts patients – and could potentially cost Medicaid more.**
  - New York is dealing with very real budget challenges for Medicaid, and there aren't easy answers.
  - But it's more important than ever to spend Medicaid dollars efficiently – and upfront spending on biomarker testing can allow some patients to avoid costly treatments that will be unnecessary or ineffective.

#### **More about the proposal's specifics**

- Removes all evidence criteria and leaves coverage and medical necessity determinations up to the department.
- Consistent coverage criteria across Medicaid and private plans allows providers to understand what is covered and provide equitable treatment for patients across payors.

- We're not advocating for patients to receive or for Medicaid to cover testing that is not medically necessary, but it's important to have a shared and equitable definition and process for patients to access this testing.