

# CANCER LEADERSHIP COUNCIL

A PATIENT-CENTERED FORUM OF NATIONAL ADVOCACY ORGANIZATIONS  
ADDRESSING PUBLIC POLICY ISSUES IN CANCER

December 12, 2017

The Honorable Orrin G. Hatch  
Chairman  
Senate Finance Committee  
Washington, DC 20510

The Honorable Ron Wyden  
Ranking Member  
Senate Finance Committee  
Washington, DC 20510

The Honorable Kevin Brady  
Chairman  
House Ways and Means Committee  
Washington, DC 20515

The Honorable Richard E. Neal  
Ranking Member  
House Ways and Means Committee  
Washington, DC 20515

Dear Chairmen Hatch and Brady and Ranking Members Wyden and Neal:

The undersigned organizations represent cancer patients, physicians and other health professionals, and researchers. We are writing to share our serious concerns about the potential negative impact of pending tax reform legislation on those living with cancer. We identify below issues for consideration by the conference committee reconciling differences between the House and Senate bills.

As we wrote during House and Senate debate on the tax bill, we remain concerned about the repeal of the individual mandate of the Affordable Care Act and the elimination of the medical expense deduction and about the potential for tax legislation passage to trigger sequestration and affect Medicare spending.

- Repeal of the individual mandate – As we have stressed in our communications with Congress regarding proposed changes to the Affordable Care Act, the protection against pre-existing condition limits and exclusions is of critical importance for cancer patients. An insurance system without those protections is an insurance system that typically excludes cancer patients from coverage or places severe limits on their access to coverage.

The individual mandate is a complement to pre-existing condition protections, as it encourages a healthier pool of insurance enrollees and helps restrain insurance premium increases in the insurance market. We urge you to refrain from a repeal of the individual mandate in tax legislation. This action will result in loss of insurance coverage for millions of Americans, including many cancer patients. It will also result in premium increases for those who are currently in treatment for cancer and many more who have survived cancer and are dealing with the late and long-term effects of the disease.

The repeal of the individual mandate in tax legislation will be a “repeal” without any effort at replacement, and we believe the market destabilization effects will be significant for cancer patients and many other Americans in the individual market. We are not persuaded that the passage of legislation to authorize cost-sharing reductions and reinsurance for a limited period of time will be accomplished soon, if at all. Neither are we convinced that these measures will be adequate to address the increases in premiums and loss of insurance coverage that will be triggered by individual mandate repeal.

- Medical expense deduction – Cancer patients face serious burdens from the time of diagnosis, balancing treatment, treatment side effects, family life and responsibilities, and work. Increasingly, cancer patients and their families also face “financial toxicity,” as they cope with the costs of cancer care. Even those patients and families with insurance may face serious cost-sharing responsibilities for services covered by insurance and other costs for items and services not covered by insurance.

Those who face a cancer diagnosis requiring multi-disciplinary care including surgery, drug therapy, and radiation therapy may easily trigger the threshold for deduction of medical expenses. In addition, there are cancer survivors facing significant expenses for monitoring and follow-up care at the same time they are re-entering the work force. For them, the medical expense deduction may also be a financial lifeline.

We are not persuaded that increases in the standard deduction will be adequate to compensate for the loss of the medical expense deduction for cancer patients facing severe financial toxicity. This is an issue on which the House and Senate bills diverge. We urge the conference committee to accept the position of the Senate on this issue.

- Sequestration and the impact on Medicare spending – More than 60 percent of cancer diagnoses occur among Medicare beneficiaries. As a result, Medicare serves as a major payer for cancer care in the United States. We are concerned that passage of tax legislation that increases deficits by \$1.5 trillion over ten years will trigger sequestration. Medicare cuts of \$25 billion in 2018 could be felt by those who have received a diagnosis and rely on Medicare. There is no easy or painless way to trim such

substantial savings from Medicare, and the cancer community will be harmed by cuts of this magnitude.

We urge you to remember those affected by cancer and others with serious and life-threatening illnesses as the conference committee seeks to finalize a tax bill. We are concerned that the repeal of the individual mandate and the elimination of the medical expense deduction will adversely affect cancer patients and that sequestration will have a significant impact on Medicare beneficiaries living with cancer.

Sincerely,

**Cancer Leadership Council**

CancerCare  
Cancer Support Community  
Fight Colorectal Cancer  
Hematology/Oncology Pharmacy Association  
The Leukemia & Lymphoma Society  
LIVESTRONG Foundation  
Lymphoma Research Foundation  
National Coalition for Cancer Survivorship  
Ovarian Cancer Research Fund Alliance  
Prevent Cancer Foundation  
Sarcoma Foundation of America  
Susan G. Komen

cc: Conferees, Tax Cuts and Jobs Act