

November 2, 2022

The Honorable Chuck Schumer
Majority Leader
United States Senate
S-230, The Capitol
Washington, DC 20510

The Honorable Mitch McConnell
Minority Leader
United States Senate
S-221, The Capitol
Washington, DC 20510

The Honorable Nancy Pelosi
Speaker
United States House of Representatives
H-232, The Capitol
Washington, DC 20515

The Honorable Kevin McCarthy
Minority Leader
United States House of Representatives
H-204, The Capitol
Washington, DC 20515

Dear Majority Leader Schumer, Minority Leader McConnell, Speaker Pelosi and Minority Leader McCarthy:

As you finalize legislative priorities for the remainder of the 117th Congress, we respectfully request the inclusion of the Metastatic Breast Cancer Access to Care Act (H.R.3183 /S.1312) in these considerations. With 236 cosponsors in the House and 28 cosponsors in the Senate, the time is now for Congress to pass this crucial legislation to benefit the estimated 168,000 Americans living with metastatic breast cancer (MBC).

The Metastatic Breast Cancer Access to Care Act eliminates the 5-month waiting period for Social Security Disability Insurance (SSDI) benefits and the subsequent 24-month waiting period for Medicare coverage for individuals with metastatic breast cancer (MBC). MBC, also called stage 4 or advanced breast cancer, is breast cancer that has spread beyond the breast and nearby lymph nodes to other organs in the body (most often the bones, lungs, liver, or brain). In the 1970s, only 10 percent of women survived five years after a diagnosis of MBC. Today, thanks to investment in research and the discovery of new and more-effective treatments, this has increased to an average of 30 percent. Nevertheless, while treatments exist for MBC, there is no cure and nearly all of the almost 44,000 breast cancer deaths expected this year will be a result of metastasis.

The purpose of these waiting periods is to limit costs to the government and ensure that benefits are only extended to persons whose disabilities are severe and long lasting. However, due to this barrier, individuals with MBC may never receive the benefits of SSDI and Medicare, even when their disease prevents them from maintaining employment. These waiting periods extend financial hardship and make it difficult for patients to maintain desperately needed medical care. Disruptions in such care may lead to disease progression that further negatively impact health outcomes and quality of life. Moreover, because metastatic breast cancers often develop resistance to drugs, it is common for patients to change therapies. New therapies come with high price tags, creating significant financial hardships for MBC patients and their families. No one battling breast cancer should live in fear of financial ruin to obtain the care they need.

While waiting periods apply broadly, Congress has recognized they can be problematic and eliminated them for certain conditions, including for individuals with ALS and end stage renal disease. With only one-third of women diagnosed with MBC expected to live at least five years post diagnosis, people living

with MBC should not have to wait to access the support they need. Time is a privilege that many living with MBC do not have.

As we enter the final months of the 117th Congress, it is clear that there is no time to waste in further deliberation. As mentioned, this bipartisan, bicameral legislation with broad support is ready to move forward. People living with MBC cannot afford to wait until the next Congress for this critical legislation to become law.

We request swift action on the Metastatic Breast Cancer Access to Care Act (H.R.3183 /S.1312) and the undersigned groups, representing the broader breast cancer community, stand ready to assist in ensuring passage of this legislation in 2022. Please reach out to Valerie Nauman, vnauman@komen.org or (972) 855-4387, with any questions.

Sincerely,

Breastcancer.org
FORCE: Facing Our Risk of Cancer Empowered
Infinite Strength, Inc.
Lobular Breast Cancer Alliance Inc. (LBCA)
Quantum Leap Healthcare Collaborative
Sharsheret
Susan G. Komen
Tigerlily Foundation
TOUCH, The Black Breast Cancer Alliance
Triage Cancer

CC:

Chair Ron Wyden, Senate Finance Committee Ranking Member Mike Crapo, Senate Finance Committee Chair Sherrod Brown, Senate Finance Committee, Subcommittee on Social Security, Pensions & Family Policy

Ranking Member Todd Young, Senate Finance Committee, Subcommittee on Social Security, Pensions & Family Policy

Chair Richard Neal, House Ways & Means Committee, Ranking Member

Kevin Brady, House Ways & Means Committee

Chair John Larson, House Ways & Means Committee, Subcommittee on Social Security

Ranking Member David Schweikert, House Ways & Means Committee, Subcommittee on Social Security