

Legislative roundup

Cancer bills offer promise, gain momentum

Congress is making progress toward balanced reimbursement reform through several bills now inching their way toward a vote. Each of these bills addresses specific matters relating to flaws in the Medicare Modernization Act (MMA) of 2003. The Community Oncology Alliance (COA) fully supports these bills:

The Community Cancer Care Preservation Act of 2007

As we reported in our April issue, Congressmen Artur Davis (D-AL) and Jim Ramstad (R-MN) have introduced this bill, labeled HR 1190. To date, more than 45 members of Congress have co-sponsored the bill, which aims to resolve much of the unfinished business of MMA by:

- Eliminating the prompt pay discounts as part of the calculation of average selling price (ASP);
- Shortening the 6-month time lag for ASP adjustments in payments to the practice;
- Restoring payment to the first hour of chemotherapy administration;
- Restoring payment to the second and subsequent hours of chemotherapy administration;
- Creating a payment mechanism for pharmacy facilities costs;
- Creating payment codes for oncol-

ogy treatment planning.

COA is asking cancer clinics to reach out to their members of the House and ask them to join in co-sponsoring this bill. Information on how to contact your members of Congress can be obtained through the Legislative Action Center on the bottom red toolbar of the COA Web site at www.communityoncology.org.

The Comprehensive Cancer Care Improvement Act of 2007

As we reported in our May issue, this bill, HR 1078, was introduced by Congresswoman Lois Capps (D-CA). The American Society of Clinical Oncology and The National Coalition for Cancer Survivorship helped formulate this bill, which COA also strongly supports. To date, the bill has more than 30 co-sponsors. A key element of the bill is the establishment of a code and payment for survivorship planning, a top priority in community cancer care.

The Access to Medicare Imaging Act of 2007

This bill, HR 1293, has a Senate Companion, S 1338. Congresswoman Carolyn McCarthy (D-NY) and Congressman Joe Pitts (R-PA) have obtained more than 100 co-

sponsors for the House version. Senator Jay Rockefeller (D-WV) introduced S 1338 with 15 co-sponsors. The bill places a 2-year moratorium on reductions in vital imaging service reimbursement and calls for a study to help determine appropriate payments.

Medicare proposal raising concerns

During the week of May 14, the Centers for Medicare and Medicaid Services (CMS) issued proposed rules concerning the use of erythropoiesis-stimulating agents (ESAs). The proposal confounded many hematologists and oncologists, as CMS appeared to depart from the use of scientific evidence-based medicine as the core value for the rules. The proposal can be found on the CMS Web site at www.cms.hhs.gov/mcd/viewdraftdecisionmemo.asp?id=203. A 30-day comment period ends in June, with the final rule to be issued on September 14.

COA will be submitting written comments on the proposed rules. COA is asking that every practice, state society, and society of oncology or hematology physician, nurse, administrator, and other professional respond vigorously. Send your comments to CMS at the url above and copy your members of the House and Senate.