

**Congress of the United States**  
**Washington, DC 20515**

October 29, 2010

The Honorable Kathleen Sebelius  
Secretary  
Department of Health and Human Services  
200 Independence Avenue, SW  
Washington, D.C. 20201

Dear Secretary Sebelius:

As Breast Cancer Awareness Month draws to a close, we would like to thank you for your efforts to combat this disease, and to request that you continue to support policies that give Americans with cancer the tools they need to fight it.

One of the key areas of importance to those fighting cancer is having the ability to access treatments that work for them as individual patients, and ultimately improve their chances of survival. As you know, the FDA's role in approving treatments and particular disease indications for specific treatments is vital. Beyond that, the role that CMS plays in determining coverage for these treatments is potentially even more critical. For better or for worse, when CMS determines that Medicare will not pay for a particular treatment, most private payers follow suit. While a treatment may still technically be available "off-label", expensive treatments aren't truly available for extended periods of time if none of the costs associated with it are borne by a patient's insurer.

As treatments for cancer and other diseases become more specialized, more sophisticated, and more expensive, determinations about payment for them naturally become more difficult. We appreciate the government's need to be careful about paying for treatments that may not work for all patients, and encourage an open dialogue with doctors to determine the best ways to target patients for whom certain treatments may or may not be effective. We encourage you, however, to avoid regulatory and payment barriers that could keep patients from accessing treatments that are either already improving survival, or could improve survival in the months and years to come. In particular, we hope that you will avoid these roadblocks when it comes to disease states that are terminal, and have limited treatment options available for patients.

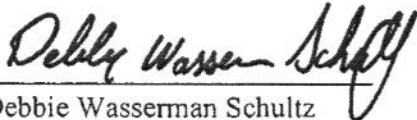
Thank you for your efforts to promote breast cancer screening and cures, and for your department's efforts to improve the outlook for patients and families who struggle with difficult diagnoses.

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Sincerely,

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Sue Myrick  
Member of Congress

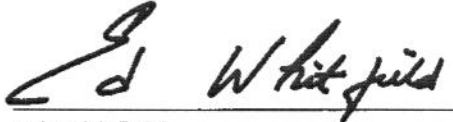
  
Debbie Wasserman Schultz  
Member of Congress

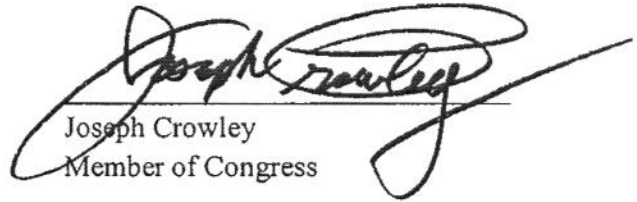
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Elliot Engel  
Member of Congress

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Phil Gingrey  
Member of Congress

  
Ed Whitfield  
Member of Congress

  
Joseph Crowley  
Member of Congress