

House Bill 24
Proponent Testimony
Ohio House Insurance Committee
May 8, 2024

Barbara Marsh

Good morning, Chairman Lampton, Vice Chair Barhorst, Ranking Member Rinada, and Members of the House of Insurance Committee. Thank you all for the opportunity to present proponent testimony on House Bill 24, which would require health plans and Medicaid coverage of biomarker testing.

My name is Dr. Barbara Marsh. I have close to 30 years of experience as a social worker in the healthcare and public health sectors. But I am not here today to testify in a professional capacity. I am here as a caretaker and advocate for my husband, who was diagnosed with cancer. While I have extensive experience working in the healthcare system, nothing could have prepared my husband and me for the journey we have taken.

Our journey began in July 2022 after my husband Todd was experiencing a cough that would not subside. A chest x-ray was performed and that same day, he received a call from his primary care doctor, who ordered him to go to the emergency department immediately. At the hospital, CT scans were performed, and Todd was told that he had a 6-centimeter mass in the lower left lobe of his lung that was most likely cancerous.

After lots of traditional tests, two biopsies, and consults, it was determined that surgery was not an option, and Todd was referred to an oncologist.

However, the oncologist shared that even with all the tests and two biopsies, he still could not determine the exact type of cancer and said that the best way to determine the most effective treatment regimen was a biomarker test. It is important to note that it had been over 45 days since Todd's first CT scan in the hospital and he still had not received any type of diagnosis or treatment plan. At the same time, the tumor was growing at a rate of over a centimeter per month. Todd was given approximately six months to live.

While the oncologist ordered biomarker testing to determine the type of cancer and the best treatment, the insurance company denied payment, and the lab would not agree to conduct the testing until the insurance company approved it. Many phone calls and emails were sent to his physician's offices, the lab, and the insurance company with no success.

This was the first time throughout this ordeal that I saw my husband cry, and he began to lose hope.

At that point, I knew I needed to fight for his life, and I began reaching out to every one of my colleagues, family members, and friends who work within the healthcare industry, as well as several national organizations. We were then connected with The Ohio State University James Cancer Hospital and Solove Research Institute.

The oncologist at Ohio State acted quickly. Additional genetic testing was performed and in less than a week, Todd received a diagnosis of non-small cell carcinoma lung cancer. This was quite a shock, considering he has never smoked and is otherwise healthy. Todd then began a very intense treatment regimen, which included five days a week of radiation and several rounds of chemotherapy. After treatment ended, it was discovered that the cancer had metastasized to his brain, which required additional radiation. Ohio State also advocated with the insurance company to cover the biomarker testing and received the results after Todd's treatment concluded.

I am blessed to report that Todd has been stable since December 2022 and has not required any further treatment intervention. The oncology and radiation teams at Ohio State have saved his life, and we are truly indebted to them.

Todd has regained his quality of life and has been working full-time. We have been able to travel again

and have welcomed two new granddaughters into our lives.

We hope that Todd will remain stable, but due to the amount of radiation and chemotherapy he has received, these interventions may not be an option for him in the future. Because of the initial delays in receiving the biomarker testing, other less invasive treatments could not be considered. Since the testing results have now been obtained, targeted therapy or immunotherapy will be available to him if future treatment is required.

I am here today not only advocating for my husband but for all Ohioans. According to the Centers for Disease Control and Prevention, cancer rates continue to increase across the nation but because of new and innovative treatments, people are living longer and managing the disease.

My hope is that HB24 will increase the accessibility to biomarker testing for all. This will decrease delays in treatment, and it will provide the medical community with the tools needed to save lives.

I want to thank Representative White for the opportunity to speak on behalf of this important legislation. Thank you all for your time this morning.