



April 8, 2025

Ohio House Health Committee
1 Capitol Square
Columbus, OH 43215

Re: HB 8 – biomarker testing legislation

Dear Chair Schmidt and Members of the Ohio House Health Committee,

On behalf of all our organizations and the hundreds of thousands of patients and providers we represent across Ohio, we respectfully request that you pass House Bill 8, which will ensure Ohioans covered by state-regulated insurance plans, including Medicaid, have coverage for biomarker testing when medically appropriate.

Thank you for scheduling a second hearing on HB 8. On June 26, 2024, the Ohio House of Representatives passed HB 24, the biomarker bill from the 135th General Assembly. House Bill 8 is the “as passed by House” version of HB 24. To date, 20 states have passed legislation to expand coverage of biomarker testing. On behalf of the patients and health care providers we represent across Ohio, we ask that the committee swiftly address this important matter and pass HB 8.

Timely access to guideline-indicated comprehensive biomarker testing will enable more patients to access the most effective treatments for their disease.^{i,ii} Progress in improving health outcomes increasingly involves the use of precision medicine, which uses information about a person’s own genes or proteins to diagnose and treat diseases. Access to precision medicine often requires biomarker testing, which analyzes biological samples to identify biomarkers (genetic mutations, molecular signatures) that may impact treatment decisions.

Biomarker testing is increasingly important for cancer care – and for the treatment of other diseases. Thirty-seven of the 62 oncology drugs launched in the past five years require or recommend biomarker testing prior to use.ⁱⁱⁱ Biomarker testing is increasingly important to enrolling patients in clinical trials as the number and percentage of cancer clinical trials that involve biomarkers has grown significantly.^{iv}

Unfortunately, there is currently limited and disparate access to biomarker testing. A significant percentage of cancer patients and survivors do not receive biomarker testing because it is not covered by their insurer or the out-of-pocket costs would be too high. A recent study found that 78% of Ohioans are covered by plans that have more restrictive coverage than what is recommended by the National Comprehensive Cancer Network® (NCCN) guidelines for several common cancers.^v

Access to biomarker testing can help achieve the triple aim of health care including better health outcomes, improved quality of life, and reduced costs. This testing can lead to treatments with fewer side effects, longer survival, and allow patients to avoid treatments that are likely to be ineffective or unnecessary. Exposure to these ineffective treatments can exacerbate the physical, emotional, and economic burdens of disease.

Studies have found upfront broader biomarker testing results in substantial cost savings for commercial payers^{vi} and decreased expected testing procedure costs to the health plan.^{vii} Some studies have found minimal cost increases as a result of the costs of more effective treatment and prolonged patient survival.^{viii} The purpose of this legislation is to enable more Ohioans to access appropriate testing; currently the cost of biomarker testing – when not covered by insurance – is a significant barrier for many patients. There is a wide range of costs for biomarker tests, depending on the size and complexity of the appropriate test for a particular patient. Although the average cost to an insurer per biomarker test is just \$224^{ix}, the out-of-pocket cost to a patient when insurance does not cover the needed test can exceed \$10,000 for some tests.

Thank you for scheduling a second hearing on HB 8. We respectfully ask that you schedule another hearing and move HB 8 through the committee process as soon as possible. Please reach out to Leo Almeida, ACS CAN Government Relations Director for Ohio at Leo.Almeida@cancer.org with any questions.

Sincerely,

The Academy of Medicine of Cleveland & Northern Ohio
AdvaMed
Aimed Alliance
ALS Association
Alzheimer's Association
American Association of Clinical Urologists, Inc.
American Cancer Society Cancer Action Network
American Lung Association
American Kidney Fund
American Urological Association
Arthritis Foundation
Association for Clinical Oncology
CancerCare
Cancer Support Community/Gilda's Club
Case Western Reserve University – Case Comprehensive
Cancer Center
Cervivor, Inc.
Cleveland Clinic
CLL Society
Coalition of State Rheumatology Organizations
Colon Cancer Coalition
Color of Gastrointestinal Illnesses
Colorectal Cancer Alliance
Community Oncology Alliance
Crohn's and Colitis Foundation
Debbie's Dream Foundation: Curing Stomach Cancer
End Preeclampsia
Exon 20 Group
Fight Colorectal Cancer
Global Colon Cancer Association
Global Liver Institute
GO2 Foundation for Lung Cancer
Heal Collaborative
ICAN, International Cancer Advocacy Network
Infusion Access Foundation
International Foundation for Autoimmune &
Autoinflammatory Arthritis (AiA)
KRAS Kickers
Little Hercules Foundation
Lung Cancer Research Foundation
LUNGeivity Foundation
Lupus and Allied Diseases Association, Inc.

Melanoma Research Foundation
The Michael J. Fox Foundation
National Marrow Donor Program
National Organization for Rare Disorders
National Ovarian Cancer Coalition
National Psoriasis Foundation
Nationwide Children's Hospital
OhioHealth
Ohio Academy of Family Physicians
Ohio Association of Community Health Centers
Ohio Association of Physician Assistants
Ohio Chapter of the American Academy of Pediatrics
Ohio Chapter of the American College of Cardiology
The Ohio Chapter of the American College of Surgeons
Ohio Hematology Oncology Society
Ohio Hospital Association
Ohio Jewish Communities
Ohio Life Sciences
Ohio Nurses Association
Ohio Nurses Association – Columbus Chapter
Ohio Osteopathic Association
Ohio State Medical Association
The Ohio State University Comprehensive Cancer Center –
James Cancer Hospital and Solove Research Institute
Ohio Urological Society
Oncology Hematology Care
Oncology Nursing Society
One Cancer Place
Patients Rising
PDL1 Amplifieds
Premier Health
Sharsheret
Susan G. Komen
Tigerlilly foundation
Transplant Life Foundation
Triage Cancer
Southeastern Ohio Regional Medical Center
UC Health
University Hospitals
VHL Alliance
ZERO Prostate Cancer

ⁱ Biomarker Testing Can Direct Care, but Only If Clinicians Perform the Right Tests. Evidence-Based Oncology, February 2020, Volume 26, Issue 2. <https://www.ajmc.com/view/biomarker-testing-can-direct-care-but-only-if-clinicians-perform-the-right-tests>

ⁱⁱ Mikyung Kelly Seo & John Cairns. Do cancer biomarkers make targeted therapies cost-effective? A systematic review in metastatic colorectal cancer. PLOS. September 26, 2018 <https://doi.org/10.1371/journal.pone.0204496>

ⁱⁱⁱ Global Oncology Trends 2021. IQVIA Institute; June 2021.

^{iv} The Evolution of Biomarker Use in Clinical Trials for Cancer Treatment,

[https://www.personalizedmedicinecoalition.org/Userfiles/PMC-Corporate/file/The Evolution of Biomarker Use in Clinical Trials for Cancer Treatments.pdf](https://www.personalizedmedicinecoalition.org/Userfiles/PMC-Corporate/file/The_Evolution_of_Biomarker_Use_in_Clinical_Trials_for_Cancer_Treatments.pdf)

^v Wong WB, Anina D, Lin CW, Adams DV. Alignment of health plan coverage policies for somatic multigene panel testing with clinical guidelines in select solid tumors. *Per Med.* 2022;10.2217/pme-2021-0174. (<https://www.ncbi.nlm.nih.gov/pubmed/35118882>)

^{vi} Economic Impact of Next-Generation Sequencing Versus Single-Gene Testing to Detect Genomic Alterations in Metastatic Non–Small-Cell Lung Cancer Using a Decision Analytic Model

DOI: 10.1200/PO.18.00356 JCO Precision Oncology - published online May 16, 2019.

^{vii} Budget Impact of Next-Generation Sequencing for Molecular Assessment of Advanced Non–Small Cell Lung Cancer

<https://doi.org/10.1016/j.jval.2018.04.1372>

^{viii} Budget Impact of Next-Generation Sequencing for Molecular Assessment of Advanced Non–Small Cell Lung Cancer

<https://doi.org/10.1016/j.jval.2018.04.1372>

^{ix} Dieguez, G. Carioto, J. The landscape of biomarker testing coverage in the United States. Milliman.

<https://www.milliman.com/en/insight/the-landscape-of-biomarker-testing-coverage-in-the-US>