

The Honorable John Hunt, Chair
House Commerce and Consumer Affairs Committee
Granite Place Room 229
Concord, NH 03301

Re: New Futures' testimony in support of Senate Bill 606, relative to insurance coverage for biomarker testing.

Dear Chairman Hunt and Honorable Members of the Committee:

New Futures appreciates the opportunity to submit testimony in support of SB 606 (relative to insurance coverage for biomarker testing). New Futures is a nonpartisan, nonprofit organization that works to solve New Hampshire's problems through policy change. We are New Hampshire's designated Kids Count organization, and we lead the policy work for the N.H. Alliance for Healthy Aging, a statewide coalition of stakeholders focused on the health and well-being of older adults in the Granite State.

New Futures stands in support of SB 606 as biomarker testing is a critical tool in modern cancer care. For background, cancer develops when changes in a person's DNA cause cells to grow or divide too quickly. When our immune system cannot stop abnormal growth, cells keep dividing into a tumor or cancer.¹ Importantly, the DNA changes and other factors that drive cancer vary widely from person to person. Biomarker testing identifies the specific genetic alterations fueling an individual's cancer, which enables physicians to select therapies that are more likely to work for that patient's specific disease subtype. For example, the biomarker PD-L1 can indicate whether immunotherapy may be effective; HER2 is a key biomarker in breast cancer; and EGFR is a common biomarker in lung cancer. When these biomarkers are identified, physicians can recommend targeted therapies that directly address the underlying drivers of the cancer, improving the likelihood of successful treatment.

Biomarker testing is no longer optional; it has become foundational to evidence-based oncology. Nearly 60% of all cancer drugs approved in the last five years require or recommend biomarker

¹ See Cooper, GM, *The Cell: A Molecular Approach*, 2nd Ed. Sunderland (MA): Sinauer Associates; 2000. *The Development and Causes of Cancer*. Available from: <https://www.ncbi.nlm.nih.gov/books/NBK9963/>

testing before use.² These tests help clinicians determine whether a patient is likely to respond to standard treatments or whether a targeted therapy would be more effective. This not only improves outcomes but also reduces unnecessary exposure to treatments that may be ineffective or harmful. While biomarker testing itself carries a cost, it is far less expensive, and far less damaging to patients, than administering the wrong chemotherapy or immunotherapy. In this way, biomarker testing supports both high-quality care and cost-effective use of resources.

Given its clinical value, New Futures urges the Committee to ensure that Medicaid beneficiaries in New Hampshire have access to guideline-recommended biomarker testing. As you know, Medicaid covers some of our most medically-vulnerable residents, including children, older adults, and individuals with disabilities. Ensuring access to biomarker testing for these patients is not only a life-saving measure, it represents the responsible stewardship of taxpayer dollars.

By adopting biomarker testing coverage in Medicaid, New Hampshire can help ensure that our most vulnerable patients receive the right treatment at the right time. New Futures urges the Committee to vote Ought-To-Pass on this important legislation.

Respectfully submitted,

Samuel Burgess
Healthcare Policy Director
New Futures

² American Cancer Society-Cancer Action Network, *Biomarker Testing in Clinical Trials*, https://www.fightcancer.org/sites/default/files/docs/biomarker_testing_and_clinical_trials_jan_2022.pdf.