

From Committee to Law: Increasing Access to Breast Cancer Imaging

BACKGROUND

Each year breast cancer affects thousands of Nevadans who are diagnosed with the disease along with their caregivers, friends, and family. More than 2,620 Nevadans will be diagnosed with breast cancer during 2023, and 440 will die of this disease.

Further, breast cancer does not affect all racial and ethnic groups equally. While white women are more likely to be diagnosed with breast cancer, Black women are more likely to die of breast cancer than any other group. And in Nevada, Black women are dying at a disproportionately higher rate (32.8 vs. 23.7 per 100,000).

In addition to the tremendous human toll, breast cancer takes a financial one as well. The National Cancer Institute reports that national expenditures associated with cancer have continued to increase in the United States, with breast cancer remaining the costliest at \$29.8 billion in 2020. Breast cancer also holds the highest patient out-of-pocket costs estimated at \$3.14 billion for the prior year.



While cancer is not wholly preventable, when it is detected early, it is much easier to treat and the chance of dying from it is greatly reduced. When cancer is detected early, the expenses incurred by individuals, families, and our health system are greatly reduced as well. Advances in medical and scientific research have led to evidence-based strategies, including new imaging technologies, to identify each person's unique risk of breast cancer and to detect cancer early.

CHALLENGE

The Affordable Care Act (ACA) requires coverage for mammography screenings as does Nevada law. However, if a woman has risk factors for breast cancer, or if the results of her mammogram are in question, additional testing, such as breast ultrasound and/or breast MRI, is required to identify cancer.

The breast cancers that are more likely to affect Black women -- Triple Negative Breast Cancer or Inflammatory Breast Cancer -- are most often detected with secondary screening as these cancers don't show up as well on standard mammography. This additional testing may leave a woman with hundreds to thousands of dollars in out-of-pocket costs -- all before getting treatment for cancer, if needed.

OPPORTUNITY



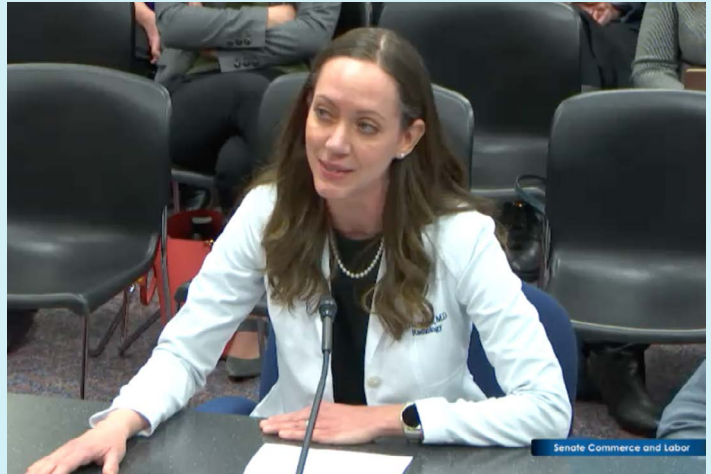
Nevada has a number of laws already established to ensure access to cancer screening as recommended by national experts and leading national health organizations. Past policy efforts to expand access to breast cancer screening have been successful, as well. Amending Nevada law to require private insurance companies to eliminate out-of-pocket costs for all breast cancer screening and diagnostic testing options would increase access to early detection for thousands of Nevadans and find cancers earlier.

"Thanks to research and advances in technology, we now have the tools to detect and diagnose breast cancer in its earliest stages, however these tools are not equitably accessible to everyone." -- Cari Herington, NCC Executive Director

ACTIVITY

Nevada Cancer Coalition's Breast Cancer Collaborative, which includes partners from across Nevada who work in breast cancer early detection and treatment, works to identify and implement statewide recommendations and strategies to improve breast cancer screening rates. In 2018, members of the collaborative began to report seeing an increase in late stage diagnoses of breast cancer and recommended removing barriers to screening by expanding access to advanced screening services including breast ultrasound and MRI.

NCC evaluated policy opportunities and identified a number of other states working to implement policies to achieve similar goals. To date, Arkansas, Colorado, Georgia, Illinois, Louisiana, Maryland, Minnesota, Montana, New Mexico, Oklahoma, Texas, New York, Tennessee, Vermont, and Washington had already passed legislation to remove financial barriers to breast cancer screening, supplemental screening, and diagnostics, and 7 additional states were running similar bills.



Dr. Chivonne Harrigal testifies in support of Senate Bill 330 to the Senate Commerce and Labor Committee in April 2023.

Working with Susan G. Komen and American Cancer Society – Cancer Action Network, and partners from across the state, NCC developed a bill draft request to submit for the 2021 Nevada Legislative Session. The bill would require private insurance companies to cover, with no cost sharing, screening, supplemental, and diagnostic breast cancer imaging tests when deemed appropriate and recommended by a person's medical provider. The coalition didn't find a bill sponsor for that year, but succeeded in late 2022.

Senator Roberta Lange, herself affected by a family member's breast cancer diagnosis, sponsored Senate Bill 330 for the 2023 legislative session. NCC, SGK and ACS-CAN all worked to rally support for the bill, and a number of supporters including physicians and breast cancer survivors testified or submitted letters of support as the bill made its way through both Senate and Assembly committees and passed unanimously on both floors of the legislature.



NCC staff and supporters testified in support of Senate Bill 330 to the Senate Commerce and Labor Committee in April 2023.

OUTCOME

Gov. Joe Lombardo signed Senate Bill 330 into law on June 6, 2023 and provisions in the law will take effect January 1, 2024. It is expected that over time data will reflect a decline in later stage diagnosis of breast cancer and a decline in breast cancer mortality.

Citations:

- 1 American Cancer Society Cancer Facts and Figures 2023.
- 2 U.S. Cancer Statistics Working Group. U.S. Cancer Statistics Data Visualizations Tool, based on 2021 submission data (1999-2019): U.S. Department of Health and Human Services, Centers for Disease Control and Prevention and National Cancer Institute; released in November 2022.
- 3 National Cancer Institute Cancer Trends Progress Report, "Financial Burden of Cancer Care."
- 4 K Robin Yabroff, PhD and others, Annual Report to the Nation on the Status of Cancer, Part 2: Patient Economic Burden Associated With Cancer Care, JNCI: Journal of the National Cancer Institute, Volume 113, Issue 12, December 2021, Pages 1670–1682.
- 5 Breast Cancer Research Foundation. Black Women and Breast Cancer: Why Disparities Persist and How to End Them. Updated January 25, 2023.
- 6 Ternyila, D. Inflammatory Breast Cancer Has Diagnostic Challenges, Requires More Awareness. October 15, 2019.
- 7 McGarry WM, Bhole S (2018) Triple-Negative Breast Cancer: What Crucial Information can Imaging Add to the Diagnosis, Treatment and Prognosis?. Int J Womens Health Wellness 5:087.