



American Lung Association Testimony Senate Bill 805  
Finance Committee  
March 15, 2023  
Support

Chair Griffith, Vice-Chair Klausmeir and Members of the Committee:

Thank you for the opportunity to provide comments on Senate Bill 805, Maryland Medical Assistance Program and Health Insurance – Required Coverage for Biomarker Testing sponsored by Senator Ellis. The American Lung Association **strongly supports** this bill as originally drafted as it will improve access to critical care for patients in Maryland by providing increase access to biomarking testing, including those with lung cancer.

The American Lung Association is the leading organization working to save lives by improving lung health and preventing lung disease, through research, education and advocacy. The work of the American Lung Association is focused on four strategic imperatives: to defeat lung cancer; to improve the air we breathe; to reduce the burden of lung disease on individuals and their families; and to eliminate tobacco use and tobacco-related diseases. This includes the more than 34 million American’s living with lung diseases, and more than [3,000](#) people living with lung cancer in Maryland.

Comprehensive biomarker testing allows doctors to identify abnormalities in a cell’s DNA, which in turn helps healthcare providers determine the best course of treatment for cancer patients. This is particularly important when treating lung cancer, as there are currently FDA-approved lung cancer treatments for tumor abnormalities in seven distinct genes.<sup>1</sup> Studies show that lung cancer patients that have access to biomarker testing and are thus able to receive targeted therapy treatments have better overall chances of survival.<sup>2</sup> Biomarker testing is a crucial part of both cancer care and treatment of other chronic conditions and has been incorporated into many clinical guidelines so that doctors may make the best decisions for their patients’ health.

Despite the evidence for the value of biomarker testing, most health coverage plans have been found to be more restrictive than the National Comprehensive Cancer Network’s guidelines for biomarker testing.<sup>3</sup> Many patients who should receive biomarker testing may be unable to do so because of insurance coverage restrictions and high out-of-pocket costs. Therefore, it is important that Senate Bill 805 increases coverage of biomarker testing and removes some of these barriers to care. The Lung Association is especially pleased that Senate Bill 805 would ensure coverage of biomarker testing through Maryland Medicaid as well.

Maryland has an opportunity to increase equitable access to health care by passing this bill. Current biomarker testing rates reflect significant racial disparities. For example, research shows that Black patients with non-small cell lung cancer are less likely to receive testing than white patients.<sup>4</sup> The Lung Association supports Senate Bill 805 as a step towards closing these gaps.

The Lung Association would encourage lawmakers to ensure Senate Bill 805 does not try and limit coverage for biomarker testing outside of oncology. Treatment for many chronic diseases may also rely on biomarker testing, such as rheumatoid arthritis, diabetes, and certain rare diseases. The Lung Association urges lawmakers to preserve Senate Bill 805 as written so that coverage of biomarker testing is not only limited to oncology to ensure all patients in Maryland are receiving the best care that they can.

The Lung Association thanks the Maryland General Assembly for their continued commitment to the health and wellbeing of the residents of Maryland. Increasing coverage for biomarker testing will improve health equity in Maryland and make cancer and chronic disease care more affordable and more accessible for patients. The Lung Association ***strongly supports*** Senate Bill 805 as drafted and encourages swift action and favorable report to move the bill out of committee and passage by the General Assembly.

Sincerely,



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<sup>1</sup> [Lung Cancer Biomarker Testing | American Lung Association](#)

<sup>2</sup> [Value of Precision Medicine in Advanced Non-Small Cell Lung Cancer: Real-World Outcomes Associated with the Use of Companion Diagnostics - PubMed \(nih.gov\); The Effect of Advances in Lung-Cancer Treatment on Population Mortality - PubMed \(nih.gov\)](#)

<sup>3</sup> [Alignment of health plan coverage policies for somatic multigene panel testing with clinical guidelines in select solid tumors \(futuremedicine.com\)](#)

<sup>4</sup> Presley CJ, PR, Chiang AC, Longtine JA, Adelson KB, Herbst RS, Nussbaum NC, Sorg R, Abernethy AP, Agarwala V, and Gross CP. Disparities in next generation sequencing in a population-based community cohort of patients with advanced non-small cell lung cancer. *Journal of Clinical Oncology* 2017 35:15\_suppl, 6563-6563.