

April 8, 2011

The Honorable Anthony Portantino
California State Assembly
Post Office Box 942849
Sacramento, CA 94249
Via Fax: 916-319-2144

RE: AB 428 - Support

Dear Assemblymember Portantino:

We are writing on behalf of the Disability Rights Legal Center to thank you for sponsoring AB 428, which will improve access to care for cancer patients, who are facing potential infertility due to cancer treatments, by providing them with options to preserve their fertility.

Health insurance is currently inconsistent in its coverage for fertility preservation in cases of iatrogenic infertility caused by cancer treatments, which limits access to care, potentially reduces survival rates, and may result in unnecessary costs for health insurance providers. AB 428 seeks to eliminate these inconsistencies by requiring that health insurance companies provide coverage for all standard fertility preservation services for individuals who are at risk for iatrogenic infertility from necessary medical treatments.

Each year, approximately 133,000 men and women are diagnosed with cancer during their reproductive years (under age 45) and, therefore, are at risk for becoming infertile from treatments such as chemotherapy, radiation and surgery. This is known as iatrogenic infertility. Fortunately the 5-year survival rate for young adults diagnosed with cancer is at an all time high. Unfortunately, there are several factors that impede access to fertility preservation treatments, one of which is lack of insurance coverage for standard fertility preservation services. Treatment for other iatrogenic side effects of cancer treatments, such as nausea, fatigue, and breast-reconstruction are routinely included in insurance coverage. AB 428 seeks to create parity in insurance coverage of iatrogenic side effects of cancer treatment and to provide cancer survivors with the opportunity to preserve their fertility options.

The Disability Rights Legal Center (DRLC) is the oldest cross-disability legal advocacy organization in the country, having served the disability community for over 35 years. Our mission is to champion the rights of people with disabilities through education, advocacy, and litigation.

Through our Cancer Legal Resource Center (CLRC), we have unique knowledge and experience with laws and legislation that impact the rights of individuals diagnosed with cancer, cancer survivors and caregivers. The CLRC, a national, joint program of the DLRC and Loyola Law School Los Angeles, has provided over 231,000 people with free information and resources on cancer-related legal issues, including access to care, insurance, government benefits, estate planning, and employment. Please visit www.CancerLegalResourceCenter.org for more information.

The DRLC strongly supports AB 428, and we appreciate your dedication to preserving the fertility options of cancer survivors. We look forward to working with you to ensure the passage of this bill.

Sincerely,



Paula D. Pearlman, Esq.
Executive Director, Disability Rights Legal Center



Joanna L. Morales, Esq.
Director, Cancer Legal Resource Center