

May 1, 2007

Senator Dianne Feinstein  
331 Hart Senate Office Building  
Washington, D.C. 20510

**Re: Support for the Breast Cancer Patient Protection Act of 2007 (S.459/H.R.1849)**

Dear Senator Feinstein:

The Disability Rights Legal Center (DLRC) strongly supports the Breast Cancer Patient Protection Act of 2007, which seeks to end the practice of "drive-through" mastectomies.

Founded in 1975, the DRLC is a private nonprofit organization whose mission is to promote the rights of people with disabilities and the public interest in, and awareness of those rights by providing legal and related services. The Cancer Legal Resource Center, a program of the DRLC celebrating its 10<sup>th</sup> year, assists callers from across the nation with an array of legal issues related to cancer, including access to health care and health insurance.

According to the American Cancer Society, there are currently over two million women living in the United States who have been treated for breast cancer, and a woman has a one in eight chance of developing invasive breast cancer in her lifetime.

This bill would guarantee that a health care provider cannot limit hospital stays for mastectomy or breast-conserving surgery to less than 48 hours, and also ensures a 24-hour stay for lymph node dissection. While some patients may choose a shorter stay, this choice should be one in which both the doctor and patient concur. The DRLC agrees with the bill's authors and sponsors that a woman must have the option of remaining in the hospital for up to 48 hours following a mastectomy in order to provide both the patient and the doctor with piece of mind and the time to make appropriate treatment decisions. This legislation would vest this important health care decision in the patient and her doctor, not her insurance company. No woman should be forced to undergo invasive treatment on an outpatient basis.

The bill would also ensure a patient the right to a second opinion for any cancer diagnosis, and would require coverage for radiation therapy for patients undergoing a lumpectomy. Together with the right to inpatient care, coverage for radiation after lumpectomy would remove the economic incentive for a woman to select mastectomy simply to reduce the immediate cost of treatment.

Again, the Disability Rights Legal Center wishes to express its strong support for the Breast Cancer Patient Protection Act of 2007. Please feel free to call me at (213) 736-1195 or e-mail [Eve.Hill@lrs.edu](mailto:Eve.Hill@lrs.edu) with any questions.

Sincerely,

A handwritten signature in black ink that reads "Eve L. Hill". The signature is written in a cursive style with a large initial "E" and "H".

Eve Hill,  
Executive Director