



PHOTOS: HAROLD SHAPIRO

Policy, Politics & Law of Cancer

On February 8 and 9, a dazzling roster from the worlds of law, cancer, science, healthcare, government, and business gathered at Yale Law School for the first major conference ever devoted to the many ways these fields intersect, conflict, and influence each other. The conference, entitled “The Policy, Politics, and Law of Cancer” was a collaboration between Yale Law School’s Solomon Center for Health Law and Policy, Yale Cancer Center, and Smilow Cancer Hospital.

It was the brainchild of Abbe Gluck, JD, Professor of Law and Faculty Director of the Solomon Center, who was also its chief organizer. “Almost everybody we invited to participate said yes,” she said. “We found a real hunger among science people and people running hospitals to step back and talk policy for a day, so it was much easier than I expected to lure this kind of cancer star power.” She estimated attendance at about 500.

Some of the luminaries among the 43 speakers were Dr. Siddhartha Mukherjee, winner of the Pulitzer Prize for *The Emperor of All Maladies: A Biography of Cancer*, who gave a keynote address about reframing the way we think about cancer; Dr. Norman Sharpless, Director of the National Cancer Institute, whose keynote addressed

some of the biggest challenges facing cancer medicine; Dr. Harold Varmus, Nobel Prize Laureate, former Director of the National Cancer Institute and the National Institutes of Health, and former President and CEO of Memorial Sloan Kettering Cancer Center; Dr. Edward J. Benz, President and CEO Emeritus of Dana-Farber Cancer Institute; Dr. Margaret Hamburg, former Commissioner of the FDA; and Dr. Barbara McAneny, President-Elect of the American Medical Association.

The conference was divided into five panels that explored how government and law affect cancer research and patient care through policies, budgets, and regulations. The first panel, moderated by Ms. Gluck, posed the question, “Is the Federal Government a Productive Partner in Cancer Policy?” The answer was generally yes, with many qualifiers. Erik Fatemi, from the lobbying group Cornerstone Government Affairs, noted that the all-important budget of the NIH, unlike most agency budgets, has historically been treated as nearly sacrosanct by both political parties, partly because it isn’t fractured by earmarks for specific diseases. Dr. Hamburg warned that America’s preeminent role in biomedical research could slip—China now has the world’s largest gene sequencers and almost half of all clinical trials registered on ClinicalTrials.gov are being conducted overseas.

The second panel, entitled “The Business of Cancer,” may have been the most enlightening for many attendees. “Everybody was blown away by that panel,” said Ms. Gluck, “because most of the people involved with cancer every day never have the opportunity to stand back and think about the business model. The six people on the panel were extremely open about what they get paid for and what they don’t get paid for.”

For instance, Dr. Benz said that 40 percent of Dana-Farber’s business comes from people seeking second opinions, but their main profits result

from procedures and chemotherapy. Two panelists mentioned that many doctors have no idea about the price of drugs, and when given information about comparable drugs that cost 10 to 40 times less, they’re amazed. Abe Lopman, MBA, Senior Vice President of Operations and Executive Director of Smilow Cancer Hospital, shared the information—new to many in the audience—that for every dollar Smilow spends serving a Medicaid patient, the state reimburses just 30 cents. For a Medicare patient, the federal government reimburses 80 cents. For patients with private insurance, Smilow

been shattered. Now an exclusive new drug may be replaced within a few years, or become part of a combination therapy, changes that alter pharma’s R&D (Research & Development) equation.

The conference’s final panel addressed the legal and policy issues associated with cutting-edge cancer treatments. The discussion centered on big data and patient privacy. Massive databases that collect information about patients’ cancer types, genomic sequences, and mutations have played crucial roles in advancing cancer research. But these databases depend

“
We found a real hunger among science people and people running hospitals to step back and talk policy for a day.
”

recaptures \$1.20 per dollar spent.

In the third panel, “Cancer, Health Justice, and Disparities,” an associate professor of medicine at the University of Chicago Medicine, Dr. Blase Polite, excited the audience with data that showed how Chicago, New York City, and Delaware virtually eliminated racial disparities for certain cancers through focused public health campaigns.

The fourth panel, “Drug Development and the Cost of Researching and Treating Cancer,” was moderated by Charles Fuchs, MD, MPH, Director of Yale Cancer Center and Physician-in-Chief of Smilow Cancer Hospital. He began by saying that after listening to Polite’s talk, he wanted Yale to choose a cancer and work to eliminate the disparities in treating it. Panelists pointed out that the traditional path of drug development, in which the high cost of producing a new drug could be recouped by dominating a market for years, has

upon participation by patients, which raises legal issues about privacy.

Roy S. Herbst, MD, PhD, Ensign Professor of Medicine and Professor of Pharmacology, and Chief of Medical Oncology at Yale Cancer Center and Smilow Cancer Hospital, pointed out that the newest cutting-edge treatments, though amazing, still don’t help the majority of cancer patients. The need remains acute for more data, more analysis, more drug development, and more trials with a greater diversity of patients. These needs, he said, will require stronger cooperation between academia, industry, and the public to produce better treatments for more patients.

“The networking and collaboration we were able to accomplish in two days was inspiring,” Dr. Fuchs said. “I look forward to continuing the conversations, and building on the ideas spawned during our discussions, and hope the momentum transcends from here.”