**An email from David Brown, WVSOM, about PEIA covering clinical trails**

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ACF Colleagues

I'm sorry if I didn't pass on sooner my finding on the issue of PEIA and the cancer trial.  It turns out that my colleague was asked to participate in a Phase 1 research trial.  This is the earliest human test of a new drug that has passed animal studies.  Phase 1 is NOT covered in the Virginia or WV legislation and I doubt other states as well.  What was frustrating to our state employee was rejection in the early days of dealing with a very deadly type of cancer, and I understand their attempt to have me deal with legislation.  In spite of the fact that PEIA does not cover Phase 1, expert research oncologists such as at UVA know that they can appeal, and usually successfully, to insurance companies (PEIA), spelling out the dire straights of the patient, that all other known treatments will not increase life span or quality of life, and that this patient is highly educated and really wants to volunteer in research to help others in the future.  That is exactly what happened in this case.  The take home:

1.  If anyone you know is offered participation in a Phase 1 research trial, it is because there is no other product that has positive outcome for the disease in question and they are very very sick.

2.  Good research medical facilities know to request reconsideration and allow participation in Phase 1 trials, since almost always the initial insurance coverage request is denied.  The research doctors give the insurance co. all the details of the patient and the state of medicine for that disease.  The direct costs of being in the trial are fully paid for by the research.  Thus, the trial spells out to Insurance that agreeing to allow their enrollee to be in the trial increases the Insurance Co cost very little more money.

3.  The law WV passed in the last decade is almost as good as the VA law and clearly requires insurance to pay for Phase II and Phase III research trial participation(with of course some crazy detailed exceptions).

4.  I have learned to do independent research when approached by very upset colleagues or friends with an new terrible diagnosis.

5.  We all need at some point to inform all of our faculty across the state that WV law requires ALL insurance to cover enrollees in research trials beyond Phase I and that upon appeal the employee should be approved for participation in the very earliest human phase I trials if is the ONLY remaining treatment.

PS..I had coffee last week with the colleague who is now on full time medical leave.  9 months post diagnosis they are currently free of any identifiable cancer....not out of the woods, but has a very high quality of life for the time being and is planning on attending a son's marriage in Louisiana in Nov !!

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