

# Baldwin campaign: Leah Vukmir opposed oral chemo coverage

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**HIGHLIGHT MOMENT:** Tammy Baldwin lays out how Leah Vukmir TWICE opposed requiring insurance companies to cover oral chemotherapy:

**BALDWIN: “A vote is a vote and Leah Vukmir voted with insurance companies to prevent oral chemo from being covered. I don’t know how you can run away from the vote.”**

## **REMINDER:**

- Leah Vukmir voted twice against requiring insurance companies to cover oral chemotherapy, a common treatment for cancer and sometimes the only form of treatment available for certain types of brain cancers.
- Leah Vukmir initially killed the bipartisan bill to lower costs for cancer patients.
  - As chair of the Senate Committee on Health, Leah Vukmir ignored calls from cancer advocates, including the American Cancer Society, Wisconsin Coalition For Cancer Treatment Access, and the Leukemia & Lymphoma Society, to hold a hearing on the legislation.
- Similar laws were already in place in a majority of other states, but Leah Vukmir was one of the only State Senators to vote against the bill. Her opposition was in stark contrast to cancer treatment advocates, Democrats and even fellow Republican lawmakers:
  - Governor Scott Walker signed the bill into law and frequently praised the legislation, saying “This is what you ask for when you elect people, to set aside partisan differences and ultimately do, in the end, what’s just right.”
  - Speaker Robin Vos said, “I am proud that we found a way to make life-saving medications more affordable and accessible. We are giving patients and their doctors the freedom to choose the best cancer

treatment without the burden of an overwhelming price tag.”

- Senator Alberta Darling said, “Treatment should be based on the disease and not your wallet. The Cancer Treatment Fairness Act makes sure life-saving decisions are between patients and their doctor.”

## **BACKGROUND:**

WKOW-TV Headline: “Vukmir’s ‘No-Vote’ On Cancer Treatment Fairness Bill Doesn’t Reflect Gov. Walker And GOP Colleagues.” [WKOW-TV, [9/11/18](#)]

**WKOW-TV: Vukmir Was “One Of The Only Senators To Vote Against The Bipartisan Cancer Treatment Fairness Act,” Which Required “Health Insurance Companies To Cover Oral Chemotherapy Drugs.”** “Baldwin’s ad calls out Vukmir for her vote back in 2014 when she was one of the only senators to vote against the bipartisan Cancer Treatment Fairness Act. The legislation requires state-regulated health insurance companies to cover oral chemotherapy drugs, some of which are the only form of treatment available for brain tumors.” [WKOW-TV, [9/11/18](#)]

**APG: Vukmir, Who “Was One Of Just Two State Senators Who Opposed” A Bill To Require Insurers To Cover Oral Chemo, Said She Voted Against It Because She Opposed Imposing Mandates On Insurers.** “After years of hiccups and delays, the oral chemo bill was approved by lawmakers with bipartisan support in 2014. When he signed it into law, Republican Gov. Scott Walker said it ‘just makes sense that we make sure this vitally important treatment is affordable for our citizens.’ The law requires state-regulated insurers that cover intravenous chemotherapy to also cover oral chemotherapy, and limits co-payment costs for patients to \$100 per month. Eighteen state representatives voted against it, but Vukmir was one of just two state senators who opposed it. She said at the time she voted against it because she opposed imposing mandates on insurers. ‘As a nurse, Leah wants to make sure her patients and everyone throughout Wisconsin have access to the best healthcare possible and the most aggressive methods to defeat cancer. While Senator Baldwin let patients down by eliminating options for patients, Leah strongly supports making healthcare affordable for those with pre-existing conditions,’ said Vukmir campaign manager Jess Ward in an email.” [APG-WI Media, [9/12/18](#)]

**WKOW-TV: Vukmir’s No Vote “Did Not Share The Same Support As Her Republican Counterparts On The Measure,” With Governor Walker**

**“Praising The Legislation To Allow More Patients The Ability To Have Affordable Options For Treatment.”** “Baldwin’s ad calls out Vukmir for her vote back in 2014 when she was one of the only senators to vote against the bipartisan Cancer Treatment Fairness Act. The legislation requires state-regulated health insurance companies to cover oral chemotherapy drugs, some of which are the only form of treatment available for brain tumors. With her ‘no’ vote, Vukmir did not share the same support as her Republican counterparts on the measure. In 2014, Governor Walker’s office sent out a statement praising the legislation to allow more patients the ability to have affordable options for treatment. ‘Oral chemotherapy is a potentially life-saving option for some cancer patients. With all of the uncertainty in health care costs today, it just makes sense that we make sure this vitally important treatment is affordable for our citizens,’ said Walker.” [WKOW-TV, [9/11/18](#)]

**WKOW-TV: Assembly Speaker Robin Vos And Senator Alberta Darling “Were Pleased” To Pass The Cancer Treatment Fairness Act.** “Vukmir on the campaign trail praises Governor Walker and President Donald Trump’s policies. Assembly Speaker Robin Vos and Senator Alberta Darling also were pleased to pass the legislation. Both made similar statements to Walker in 2014. ‘I am proud that we found a way to make life-saving medications more affordable and accessible,’ said Vos. ‘We are giving patients and their doctors the freedom to choose the best cancer treatment without the burden of an overwhelming price tag.’ ‘Treatment should be based on the disease and not your wallet,’ said Sen. Darling. ‘The Cancer Treatment Fairness Act makes sure life-saving decisions are between patients and their doctor.’” [WKOW-TV, [9/11/18](#)]

**WKOW-TV: In Response To Baldwin’s Ad Hitting Vukmir For Her Vote On The Cancer Treatment Fairness Act, Vukmir Said “Senator Baldwin Let Patients Down By Eliminating Options For Patients [...]”** “Baldwin’s ad calls out Vukmir for her vote back in 2014 when she was one of the only senators to vote against the bipartisan Cancer Treatment Fairness Act. The legislation requires state-regulated health insurance companies to cover oral chemotherapy drugs, some of which are the only form of treatment available for brain tumors. [...] Vukmir, who’s touted her record as a nurse, responded through her campaign stating her opponent Sen. Baldwin is letting patients down by taking away options. ‘As a nurse, Leah wants to make sure her patients and everyone throughout Wisconsin have access to the best healthcare possible and the most aggressive methods to defeat cancer,’ said campaign manager Jess Ward. ‘While Senator Baldwin let patients

down by eliminating options for patients, Leah strongly supports making health care affordable for those with pre-existing conditions.” [WKOW-TV, [9/11/18](#)]

**WKOW-TV: While “40 Other States Have A Similar Law, Allowing Insurance Companies To Cover Oral Chemotherapy Drugs,” Vukmir “Did Not Clarify As To Why She Voted Against The Measure” And “Did Not Immediately” Reply Back For Comment.** “Baldwin’s ad calls out Vukmir for her vote back in 2014 when she was one of the only senators to vote against the bipartisan Cancer Treatment Fairness Act. The legislation requires state-regulated health insurance companies to cover oral chemotherapy drugs, some of which are the only form of treatment available for brain tumors. [...] Currently, 40 other states have a similar law, allowing insurance companies to cover oral chemotherapy drugs. ‘While Leah Vukmir is doubling down on her indefensible votes against requiring insurance companies to cover oral chemo, Tammy Baldwin is standing up to those same powerful interests and leading the fight to make sure Wisconsinites with pre-existing conditions like cancer are protected,’ said Baldwin’s campaign spokesperson Bill Neidhardt. Vukmir’s campaign did not clarify as to why she voted against the measure. The campaign did not immediately reply. This new attack comes after Vukmir met with Veterans in Franklin Monday to hear their concerns over Baldwin not addressing the opioid scandal at the Tomah Veterans Affairs Medical Center. The center was in the spotlight years ago after a scandal involving over-prescribing opioids to veterans. Republicans accuse Baldwin for not solving the problems back in 2015. Since then Baldwin passed legislation in honor of a deceased veteran that toughened prescription guidelines.” [WKOW-TV, [9/11/18](#)]

**PolitiFact Headline: “Like Insurers, Leah Vukmir Opposed Wisconsin Law Forcing Insurers To Make Oral Chemo More Affordable.”** [PolitiFact, [9/14/18](#)]

- **PolitiFact: “Vukmir Was One Of Two Republican Senators To Come Out Vocally Against The Bill And In Support Of Insurers,” And Said She Had A “Consistent Record Of Opposing Insurance Mandates.”** “Vukmir was one of two Republican senators to come out vocally against the bill and in support of insurers. She said at the time: ‘I have a consistent record of opposing insurance mandates. A state mandate would only impact the insurance companies regulated by Wisconsin and not those regulated at the federal level, creating an uneven playing field and driving up costs for consumers.’” [PolitiFact, [9/14/18](#)]
- **PolitiFact: “Vukmir Was Nearly Alone In Her Opposition To An Oral Chemotherapy Bill That Was Opposed By Insurance Companies.”**

“When the measure came to a vote in the Senate, Vukmir and GOP Sen. Paul Farrow cast the only no votes. The measure passed, 30-2. After changes were made to the bill in the Assembly, the Senate approved the bill again, 26-7. Vukmir again voted no because of her opposition to putting mandates on insurers; the other six senators said the changes weakened the bill. So, Vukmir was nearly alone in her opposition to an oral chemotherapy bill that was opposed by insurance companies.” [PolitiFact, [9/14/18](#)]

- **On Her Vote Against Oral Chemotherapy, Vukmir’s Campaign Said “When Government Mandates Price Structures, Providers Eliminate Coverage Options And Fewer People End Up With Quality Care.”** “So, Vukmir was nearly alone in her opposition to an oral chemotherapy bill that was opposed by insurance companies. Her campaign told us that ‘when government mandates price structures, providers eliminate coverage options and fewer people end up with quality care.’ But to be clear, her vote wasn’t against oral chemotherapy, per se. Rather, the law requires that insurers treat oral chemotherapy like traditional chemotherapy when it comes to how much patients must pay.” [PolitiFact, [9/14/18](#)]
- **PolitiFact Rated Baldwin’s Statement That Vukmir Was “Just About The Only Legislator” Who “Voted Against Oral Chemotherapy,” As Mostly True.** “Baldwin says Vukmir was ‘just about the only legislator who stood with the insurance companies’ and ‘voted against oral chemotherapy.’ On the main vote on a chemotherapy bill, Vukmir aligned with insurance companies that opposed the bill and was one of two state senators to vote no. That said, Vukmir’s vote wasn’t against oral chemotherapy. It was against stopping insurers from charging patients higher deductibles, copayments or coinsurance for oral chemotherapy than they would pay for traditional chemotherapy. For a statement that is accurate but needs clarification, our rating is Mostly True.” [PolitiFact, [9/14/18](#)]

## **Earlier, In 2011, As Chair Of The Senate Committee On Health, Vukmir Successfully Blocked An Oral Chemotherapy Parity Bill**

**Senate Bill 101 Was Referred To the Senate Committee On Health.** [[Senate Bill 101](#), Introduced [5/24/2011](#)]

**2011: Vukmir Chaired The Senate Committee On Health.** “Supporters of oral chemotherapy bills are pushing for public hearings on proposed legislation that would require insurers to cover those medications like other chemo drugs, but their requests are being ignored. ‘It’s pretty outrageous,’ said Zina Cary, national director

of state affairs for The Leukemia & Lymphoma Society. 'Let's just hold a public hearing, air the facts and let everyone come to the table.' Identical bills introduced in the state Assembly and Senate would require health insurers to provide coverage for oral chemotherapy the same way they do traditional intravenous or infused chemo treatments. The proposals have been referred to the Senate Committee on Health, headed by Sen. Leah Vukmir, R-Wauwatosa, and the Assembly Committee on Insurance, chaired by Rep. Kevin Petersen, R-Waupaca. Neither Vukmir nor Petersen were available for comment. [Leader-Telegram, 12/11/11]

## **Vukmir Never Held A Public Hearing On The Legislation And Let SB 101 Die In Committee**

**Senate Bill 101 Died In Committee.** [[Senate Bill 101](#), 2011 Wisconsin Senate Journal 820, [3/23/2012](#)]

## **Republican Lawmakers Spoke In Favor Of The Oral Chemo Legislation**

### **Sen. Alberta Darling**

**The Lead Sponsor Of The Bill, Alberta Darling, Praised The Senate Vote On The Oral Chemo Bill.** "When I talk to the medical school and to researchers around the country, they say, 'Oral chemo is the wave of the future,' said Sen. Alberta Darling, R-River Hills, who is a cancer survivor. 'So, in a big way today, we're bringing our statutes up to speed with what the technology is on this drug.' But Darling, the lead sponsor of the Senate bill, also said that she thinks the Senate vote was a victory, regardless of what happens in the Assembly. 'No matter what happens in the Assembly, we're going to be doing the right thing,' she said." [Wisconsin State Journal, [03/19/2014](#)]

**Darling: "Treatment Should Be Based On The Disease And Not Your Wallet."** "Vukmir on the campaign trail praises Governor Walker and President Donald Trump's policies. Assembly Speaker Robin Vos and Senator Alberta Darling also were pleased to pass the legislation. Both made similar statements to Walker in 2014. 'I am proud that we found a way to make life-saving medications more affordable and accessible,' said Vos. 'We are giving patients and their doctors the freedom to choose the best cancer treatment without the burden of an overwhelming price tag.' 'Treatment should be based on the disease and not your wallet,' said Sen. Darling. 'The Cancer Treatment Fairness Act makes sure life-saving decisions are between patients and their doctor.'" [WKOW-TV, [9/11/18](#)]

## **Assembly Speaker Robin Vos**

**Republican Assembly Speaker Robin Vos: “We Are Giving Patients And Their Doctors The Freedom To Choose The Best Cancer Treatment Without The Burden Of An Overwhelming Price Tag.”** “The state Assembly has passed an amended oral chemotherapy bill that would make chemo drugs in pill form more affordable for cancer patients. The measure as amended by the Assembly would place a maximum \$100 monthly co-pay for a 30-day supply of chemotherapy bills. The bill passed 75-18 Friday morning and will now head back to Senate before it can be signed into law by Gov. Scott Walker. Assembly speaker Robin Vos released the following statement after the amended bill passed Assembly. ‘I am proud that we found a way to make life-saving medications more affordable and accessible. We are giving patients and their doctors the freedom to choose the best cancer treatment without the burden of an overwhelming price tag.’” [WKOW, 03/20/2014]

## **Scott Walker Supported The Oral Chemotherapy Bill And Encouraged The Assembly To Pass It**

**Baraboo News Republic: “Gov. Scott Walker Said He Would Sign A Senate Bill To Require Insurance Companies To Cover Oral Chemotherapy Drugs.”** “Gov. Scott Walker said he would sign a Senate bill to require insurance companies to cover oral chemotherapy drugs. ‘I’d sign the bill the Senate passed so I’m hopeful that’s the bill that will pass the Assembly,’ Walker told reporters in Appleton, according to the Appleton Post-Crescent. ‘If it passes the same way it passed the Senate I would sign it into law.’ Walker was in Appleton attending the Governor’s Conference on Emergency Management and Homeland Security at the Radisson Paper Valley Hotel. The state Senate overwhelmingly passed a bill Tuesday to help make chemotherapy drugs in pill form more affordable for cancer patients, but the proposal’s future in the Assembly remains murky.” [Wisconsin State Journal, [3/19/14](#)]

## **Walker Called Bill A “Win All The Way Around”**

**Walker Told The Crowd Of About 100 That The Bill Was A ‘Win All The Way Around.’”** “But on Thursday, Walker told the crowd of about 100 that the bill was a ‘win all the way around.’ The GOP governor was flanked by three of the bill’s key supporters, Sen. Alberta Darling (R-River Hills), Rep. Pat Strachota (R-West Bend) and Rep. Peter Barca (D-Kenosha). ‘This is what you ask for when you send people to Madison. This is what you ask for when you elect people, to set aside partisan

differences and ultimately do, in the end, what's just right,' Walker said."  
[Milwaukee Journal Sentinel, [4/3/2014](#)]

### **Walker Called The Legislation "Potentially Life-Saving"**

**Walker: "It Just Makes Sense That We Make Sure This Vitally Important Treatment Is Affordable For Our Citizens."** "Today, Governor Scott Walker signed Senate Bill 300 into law at the Froedtert & the Medical College of Wisconsin. Under the bill, state-regulated insurers covering intravenous chemotherapy must also cover oral chemotherapy, while limiting patient out-of-pocket co-payment costs to \$100 per month. 'Oral chemotherapy is a potentially life-saving option for some cancer patients,' Governor Walker said. 'With all of the uncertainty in health care costs today, it just makes sense that we make sure this vitally important treatment is affordable for our citizens. I thank Senator Alberta Darling (R-River Hills) and Representative Pat Strachota (R-West Bend) for their work on this legislation, which passed with bipartisan support.'" [Press Release, Office of Governor Scott Walker, [4/3/2014](#)]

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### **Walker Said The Bill Was An Example Of When Lawmakers "Set Aside Partisan Differences" To Do "What's Just Right"**

**Walker: "This Is What You Ask For When You Elect People, To Set Aside Partisan Differences And Ultimately Do, In The End, What's Just Right."**

“This is what you ask for when you send people to Madison. This is what you ask for when you elect people, to set aside partisan differences and ultimately do, in the end, what’s just right,’ Walker said.” [Milwaukee Journal Sentinel, [4/3/2014](#)]