

**Effective 5/12/2015**

**58-85-105 Insurance coverage.**

- (1) This chapter does not:
  - (a) require an insurer to cover the cost of:
    - (i) administering an investigational drug under this chapter; or
    - (ii) treating a patient with an investigational device under this chapter; or
  - (b) prohibit an insurer from covering the cost of:
    - (i) administering an investigational drug under this chapter; or
    - (ii) treating a patient with an investigational device under this chapter.
- (2) Except as described in Subsection (3), an insurer may deny coverage to an eligible patient who is treated with an investigational drug or investigational device, for harm to the eligible patient caused by the investigational drug or investigational device.
- (3) An insurer may not deny coverage to an eligible patient under Subsection (2) for:
  - (a) the eligible patient's preexisting condition;
  - (b) benefits that commenced before the day on which the eligible patient is treated with the investigational drug or investigational device; or
  - (c) palliative or hospice care for an eligible patient that has been treated with an investigational drug or device, but is no longer receiving curative treatment with the investigational drug or device.

Enacted by Chapter 110, 2015 General Session