

ONCOLOGY INSURANCE AMENDMENTS

2013 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Curtis S. Bramble

House Sponsor: Ronda Rudd Menlove

LONG TITLE

General Description:

This bill amends Part 6, Accident and Health Insurance, in Chapter 22, Contracts in Specific Lines, of the Insurance Code.

Highlighted Provisions:

This bill:

- ▶ defines terms; and
- ▶ provides that if a health insurer covers both oral chemotherapy and intravenous chemotherapy, the insurer may not impose more restrictive cost sharing and treatment limits on the oral chemotherapy than those imposed on the intravenous chemotherapy.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

31A-22-641, Utah Code Annotated 1953

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **31A-22-641** is enacted to read:

31A-22-641. Cancer treatment parity.



28 (1) For purposes of this section:

29 (a) "Cost sharing" includes copayments, deductibles, coinsurance, and other dollar
30 limits.

31 (b) "Health insurer" is as defined in Subsection 31A-22-634(1).

32 (c) "Intravenously administered chemotherapy" means a physician-prescribed cancer
33 treatment that is administered through injection directly into the patient's circulatory system by
34 a physician, physician assistant, nurse practitioner, nurse, or other medical personnel under the
35 supervision of a physician and in a hospital, medical office, or other clinical setting.

36 (d) "Oral chemotherapy" means a U.S. Food and Drug Administration-approved,
37 physician-prescribed cancer treatment that is taken orally in the form of a tablet or capsule and
38 may be administered in a hospital, medical office, or other clinical setting or may be delivered
39 to the patient for self-administration under the direction or supervision of a physician outside of
40 a hospital, medical office, or other clinical setting.

41 (2) This section applies to health benefit plans renewed or entered into on or after July
42 1, 2013.

43 (3) A health benefit plan that covers prescribed oral chemotherapy and intravenously
44 administered chemotherapy shall ensure that the cost sharing and treatment limitations
45 applicable to the covered oral chemotherapy are no more restrictive than the cost sharing and
46 treatment limitations applied to the covered intravenously administered chemotherapy.

47 (4) (a) A health insurer shall not increase the cost sharing for intravenously
48 administered chemotherapy for the purpose of achieving compliance with this section.

49 (b) The commissioner may adopt administrative rules in accordance with Title 63G,
50 Chapter 3, Utah Administrative Rulemaking Act, to enforce the provisions of this section.

Legislative Review Note
as of 2-12-13 9:27 AM

Office of Legislative Research and General Counsel