

SB0189S01 compared with SB0189

~~text~~ shows text that was in SB0189 but was deleted in SB0189S01.

text shows text that was not in SB0189 but was inserted into SB0189S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Senator Curtis S. Bramble proposes the following substitute bill:

ONCOLOGY INSURANCE AMENDMENTS

2013 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Curtis S. Bramble

House Sponsor: _____

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

~~text~~ ▶ ~~text~~ provides that if a health insurer covers ~~both oral chemotherapy and intravenous chemotherapy~~ anticancer medication, the insurer may not ~~impose more restrictive cost sharing and treatment limits on the oral chemotherapy than those imposed on the intravenous chemotherapy~~ exceed certain cost sharing limits.

Money Appropriated in this Bill:

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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.

(1) For purposes of this section:

(a) "Anticancer medication" means prescribed, self administered anticancer medication that is used to kill or slow the growth of cancerous cells.

(~~f~~a~~b~~) "Cost sharing" includes copayments, deductibles, coinsurance, and other dollar limits.

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

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

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

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

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

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~~chemotherapy~~ anticancer medication:

(a) shall not impose a copayment or coinsurance that exceeds \$250 a month for the anticancer medication; and

(b) shall apply any monthly out-of-pocket costs for the anticancer medication that is paid by the individual to any deductibles or maximum out-of-pocket costs imposed by the health benefit plan.

(4) (a) A health insurer shall not increase the cost sharing for ~~intravenously administered chemotherapy~~ anticancer medication or other physician prescribed cancer treatment, however administered. for the purpose of achieving compliance with this section.

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

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Legislative Review Note

~~as of 2-12-13 9:27 AM~~

~~Office of Legislative Research and General Counsel~~