

1 HB86
2 172899-1
3 By Representative Johnson (R)
4 RFD: Insurance
5 First Read: 03-FEB-16

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8 SYNOPSIS: This bill would prohibit a state regulated
9 health benefit plan that covers intravenously
10 administered, or injected anticancer therapies and
11 orally administered anticancer therapies from
12 requiring the insured to pay a higher copayment,
13 deductible, or coinsurance amount for a
14 patient-administered anticancer medication than is
15 required for an anticancer medication that is
16 injected or otherwise administered intravenously by
17 a health care provider, regardless of the
18 formulation or benefit category determination of
19 the medication in the health benefit plan.

20 This bill would also prohibit a health
21 insurance plan from circumventing this prohibition
22 by increasing the copayment, deductible, or
23 coinsurance amount for an intravenous or injected
24 chemotherapy drug that is covered under the health
25 insurance plan or by reclassifying the anticancer
26 benefits under the plan.

1 A BILL
2 TO BE ENTITLED
3 AN ACT
4

5 Relating to insurance; to prohibit a state regulated
6 health benefit plan that covers intravenously administered, or
7 injected anticancer therapies and orally administered
8 anticancer therapies from requiring the insured to pay a
9 higher copayment, deductible, or coinsurance amount for an
10 anticancer medication that is patient-administered than is
11 required for an anticancer medication that is injected or
12 otherwise administered intravenously by a health care
13 provider, regardless of the formulation or benefit category
14 determination of the medication in the health benefit plan;
15 and to prohibit a health insurance plan from circumventing
16 this prohibition by increasing the copayment, deductible, or
17 coinsurance amount for an intravenous or injected chemotherapy
18 drug that is covered under the health insurance plan or by
19 reclassifying the anticancer benefits under the plan.

20 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

21 Section 1. (a) For purposes of this section, the
22 following terms have the following meanings:

23 (1) ANTICANCER MEDICATION. A drug or biologic used
24 to kill, slow, or prevent the growth of cancerous cells.

25 (2) HEALTH BENEFIT PLAN. An individual or group
26 insurance plan, policy, or contract for health care services
27 that covers hospital, medical, surgical expenses, or

1 prescription drug benefits, health maintenance organizations,
2 preferred provider organizations, medical service
3 organizations, physician-hospital organizations, or any other
4 person, firm, corporation, joint venture, or other similar
5 business entity that pays for, purchases, or furnishes
6 individual or group health care services to patients,
7 insureds, or beneficiaries in this state. For the purposes of
8 this section, a health benefit plan located or domiciled
9 outside of the State of Alabama is deemed to be subject to
10 this section if the plan, policy, or contract is issued or
11 delivered in the State of Alabama. The term includes, but is
12 not limited to, entities created pursuant to Article 6,
13 Chapter 20, Title 10A of the Code of Alabama 1975. The term
14 does not include accident-only, specified disease, individual
15 hospital indemnity, credit, dental-only, Medicare-supplement,
16 long-term care, or disability income insurance, other limited
17 benefit health insurance policies, coverage issued as a
18 supplemental to liability insurance, workers' compensation or
19 similar insurance, or automobile medical-payment insurance.

20 (b) A health benefit plan that covers anticancer
21 medications that are injected or intravenously administered by
22 a health care provider or a patient-administered anticancer
23 medication, including, but not limited to, those medications
24 orally administered or self-injected, may not require a higher
25 copayment, deductible, or coinsurance amount for a patient
26 administered anticancer medications than it requires for
27 anticancer medications injected or intravenously administered

1 by a health care provider, regardless of the formulation or
2 benefit category specified in the health benefit plan.

3 (c) A health benefit plan may not comply with
4 subsection (b) by doing either of the following:

5 (1) Increasing the copayment, deductible, or
6 coinsurance amount required for injected or intravenously
7 administered anticancer medications that are covered by the
8 health benefit plan.

9 (2) Reclassifying benefits provided by the health
10 benefit plan with respect to anticancer medications.

11 Section 2. This act shall become effective on the
12 first day of the third month following its passage and
13 approval by the Governor, or its otherwise becoming law.