



House Insurance Reported Substitute for HB40

A BILL
TO BE ENTITLED
AN ACT

Relating to insurance; to amend Sections 27-58-1 and 27-58-4, Code of Alabama 1975; to recognize that a higher risk of prostate cancer exists in certain groups of men; and to require health insurance plans to cover screening of both younger high-risk men and all older men, free of out-of-pocket costs.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 27-58-1 and 27-58-4, Code of Alabama 1975, are amended to read as follows:

"§27-58-1

As used in this chapter, the following terms ~~shall~~ have the following meanings:

(1) COST-SHARING REQUIREMENTS. An annual deductible, coinsurance, copayment, or other out-of-pocket expense imposed on an insured as a condition for receiving a covered treatment or service.

~~(1)~~ (2) HEALTH BENEFIT PLAN. Any individual or group plan, employee welfare benefit plan, policy, or contract for health care services issued, delivered, issued for delivery, or renewed in this state by a health care insurer, health



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29 maintenance organization, accident and sickness insurer,
30 fraternal benefit society, nonprofit hospital service
31 corporation, nonprofit medical service corporation, health
32 care service plan, any plan or health benefits offered by a
33 nonprofit agricultural organization, or any other person,
34 firm, corporation, joint venture, or other similar business
35 entity that pays for insureds or beneficiaries in this state.
36 The term includes, but is not limited to, entities created
37 pursuant to Article 6 of Chapter 20 of Title 10A. A health
38 benefit plan located or domiciled outside of the State of
39 Alabama is deemed to be subject to this chapter if it
40 receives, processes, adjudicates, pays, or denies claims for
41 health care services submitted by or on behalf of patients,
42 insureds, or beneficiaries who reside in Alabama. Provided,
43 however, the term shall not include accident-only, specified
44 disease, hospital indemnity, Medicare supplement, long-term
45 care, disability income, or other limited benefit health
46 insurance policies.

47 (3) MEN AT HIGH RISK. Regardless of age, African
48 American men and men who have a father, brother, or son to
49 whom any of the following apply:

- 50 a. Received a diagnosis of prostate cancer.
- 51 b. Developed prostate cancer.
- 52 c. Death caused by prostate cancer.
- 53 d. Received a diagnosis of a cancer that is known to be
54 associated with a higher risk of prostate cancer.
- 55 e. Carries a genetic marker known to be associated with
56 an increased risk of prostate cancer.

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57 ~~(2)~~ (4) SCREENING FOR THE EARLY DETECTION OF PROSTATE
58 CANCER. At a minimum, a prostate-specific antigen blood test
59 and a digital rectal examination."

60 "§27-58-4

61 (a) The benefits provided in this chapter shall be
62 subject to the same ~~annual deductible or coinsurance~~
63 ~~established~~cost-sharing requirements for all covered benefits
64 within a given policy, except that no cost-sharing
65 requirements shall be imposed on: (i) men over 50 years of
66 age; and (ii) men at high risk for prostate cancer who are
67 over 40 years of age. Private ~~third party~~third-party payors
68 may not reduce or eliminate coverage due to the requirements
69 of this chapter.

70 (b) A health benefit plan subject to this chapter shall
71 not terminate services, reduce capitation payment, or
72 otherwise penalize an attending physician or health care
73 provider who orders medical care consistent with this chapter.

74 (c) Nothing in this chapter is intended to expand the
75 list of designations of covered providers as specified in any
76 health benefit plan."

77 Section 2. This act shall become effective on **January**
78 **1, 2027**.