

**House Insurance Reported Substitute for HB40**

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5 A BILL

6 TO BE ENTITLED

7 AN ACT

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9 Relating to insurance; to amend Sections 27-58-1 and  
10 27-58-4, Code of Alabama 1975; to recognize that a higher risk  
11 of prostate cancer exists in certain groups of men; and to  
12 require health insurance plans to cover screening of both  
13 younger high-risk men and all older men, free of out-of-pocket  
14 costs.

15 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

18 "§27-58-1

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

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

25 ~~(1)~~(2) HEALTH BENEFIT PLAN. Any individual or group  
26 plan, employee welfare benefit plan, policy, or contract for  
27 health care services issued, delivered, issued for delivery,  
28 or renewed in this state by a health care insurer, health



## House Insurance Reported Substitute for HB40

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

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.**