

# SENATE BILL 524

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0lr2346  
CF 0lr2329

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By: **Senators Pugh, Conway, Forehand, Harrington, Jacobs, Jones, Lenett, Madaleno, McFadden, Peters, and Raskin**  
Introduced and read first time: February 3, 2010  
Assigned to: Finance

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## A BILL ENTITLED

1 AN ACT concerning

2 **Health Insurance – Cancer Chemotherapy – Cost Sharing Equity**

3 FOR the purpose of prohibiting insurers, nonprofit health service plans, and health  
4 maintenance organizations that provide coverage under certain policies or  
5 contracts for certain cancer chemotherapy from imposing certain limits or cost  
6 sharing on coverage for orally administered cancer chemotherapy that are less  
7 favorable to an insured or enrollee than the limits or cost sharing on coverage  
8 for cancer chemotherapy that is administered intravenously or by injection;  
9 making certain provisions of this Act applicable to health maintenance  
10 organizations; defining a certain term; providing for the application of this Act;  
11 and generally relating to health insurance coverage for cancer chemotherapy.

12 BY adding to

13 Article – Insurance  
14 Section 15–845  
15 Annotated Code of Maryland  
16 (2006 Replacement Volume and 2009 Supplement)

17 BY adding to

18 Article – Health – General  
19 Section 19–706(cccc)  
20 Annotated Code of Maryland  
21 (2009 Replacement Volume)

22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
23 MARYLAND, That the Laws of Maryland read as follows:

24 **Article – Insurance**

25 **15–845.**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.  
[Brackets] indicate matter deleted from existing law.



1           **(A) IN THIS SECTION, “CANCER CHEMOTHERAPY” MEANS MEDICATION**  
2 **THAT IS PRESCRIBED BY A LICENSED PHYSICIAN TO KILL OR SLOW THE GROWTH**  
3 **OF CANCER CELLS.**

4           **(B) THIS SECTION APPLIES TO:**

5                   **(1) INSURERS AND NONPROFIT HEALTH SERVICE PLANS THAT**  
6 **PROVIDE COVERAGE UNDER HEALTH INSURANCE POLICIES OR CONTRACTS**  
7 **THAT ARE ISSUED OR DELIVERED IN THE STATE FOR:**

8                           **(I) ORALLY ADMINISTERED CANCER CHEMOTHERAPY; AND**

9                           **(II) CANCER CHEMOTHERAPY THAT IS ADMINISTERED**  
10 **INTRAVENOUSLY OR BY INJECTION; AND**

11                   **(2) HEALTH MAINTENANCE ORGANIZATIONS THAT PROVIDE**  
12 **COVERAGE UNDER CONTRACTS THAT ARE ISSUED OR DELIVERED IN THE STATE**  
13 **FOR:**

14                           **(I) ORALLY ADMINISTERED CANCER CHEMOTHERAPY; AND**

15                           **(II) CANCER CHEMOTHERAPY THAT IS ADMINISTERED**  
16 **INTRAVENOUSLY OR BY INJECTION.**

17           **(C) AN ENTITY SUBJECT TO THIS SECTION MAY NOT IMPOSE DOLLAR**  
18 **LIMITS, COPAYMENTS, DEDUCTIBLES, OR COINSURANCE REQUIREMENTS ON**  
19 **COVERAGE FOR ORALLY ADMINISTERED CANCER CHEMOTHERAPY THAT ARE**  
20 **LESS FAVORABLE TO AN INSURED OR ENROLLEE THAN THE DOLLAR LIMITS,**  
21 **COPAYMENTS, DEDUCTIBLES, OR COINSURANCE REQUIREMENTS THAT APPLY**  
22 **TO COVERAGE FOR CANCER CHEMOTHERAPY THAT IS ADMINISTERED**  
23 **INTRAVENOUSLY OR BY INJECTION.**

24                                   **Article – Health – General**

25           19–706.

26                   **(CCCC) THE PROVISIONS OF § 15–845 OF THE INSURANCE ARTICLE**  
27 **APPLY TO HEALTH MAINTENANCE ORGANIZATIONS.**

28           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to all  
29 policies, contracts, and health benefit plans issued, delivered, or renewed in the State  
30 on or after October 1, 2010.

1           SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
2    October 1, 2010.