

SENATE BILL 2361

By Watson

AN ACT to amend Tennessee Code Annotated, Title 8;
Title 53; Title 56; Title 63; Title 68 and Title 71,
relative to prescription drugs.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 56-7-3501, is amended by adding the following as new subsections:

() "Associated conditions" means the symptoms or side effects associated with cancer, or the treatment of cancer, which, in the judgment of the healthcare practitioner, further jeopardize the health of a patient if left untreated;

() "Cancer" has the same meaning as defined in § 68-1-1002 and is a condition diagnosed by a healthcare practitioner; and

() "Healthcare practitioner" means a physician, surgeon, or other healthcare professional licensed under title 63 who is engaged in diagnosing and treating patients who have cancer;

SECTION 2. Tennessee Code Annotated, Section 56-7-3502, is amended by adding the following as a new subsection:

() A health carrier, health benefit plan, or utilization review organization shall not use step therapy protocols as the basis to restrict, delay, or deny coverage of a prescription drug or drug regimen for the treatment of cancer or associated conditions if:

(1) The prescribed drug or drug regimen is consistent with best practices for the treatment of cancer, or associated conditions;

(2) The prescribed drug or drug regimen is supported by peer-reviewed, evidence-based medical literature; or

(3) The prescribed drug or drug regimen has the United States food and drug administration approved indication.

SECTION 3. This act takes effect July 1, 2024, the public welfare requiring it, and applies to agreements for health insurance or health plans entered into, issued, delivered, amended, or renewed on or after that date.