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ONCOLOGY INSURANCE AMENDMENTS
2013 GENERAL SESSION
STATE OF UTAH
Chief Sponsor: Curtis S. Bramble
House Sponsor: Brad R. Wilson
LONG TITLE
General Description:
This bill amends the Accident and Health Insurance part of the Contracts in Specific
Lines chapter of the Insurance Code.
Highlighted Provisions:
This bill:
<ul><li>defines terms;</li></ul>
<ul> <li>provides that if a health insurer covers both oral chemotherapy and intravenous</li> </ul>
chemotherapy, the insurer:
• shall apply the same cost sharing requirements to both oral chemotherapy and
intravenous chemotherapy; or
• shall not impose a cost sharing for oral chemotherapy that exceeds \$300, if the
insurer imposes different cost sharing for oral chemotherapy and intravenous
chemotherapy;
<ul> <li>prohibits a health insurer from increasing the cost sharing for oral or intravenous</li> </ul>
chemotherapy for the purpose of achieving compliance with this section; and
<ul> <li>gives the Insurance Department administrative rulemaking authority.</li> </ul>
Money Appropriated in this Bill:
None
Other Special Clauses:
None
<b>Utah Code Sections Affected:</b>
ENACTS:

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30 31	<b>31A-22-641</b> , Utah Code Annotated 1953
32	Be it enacted by the Legislature of the state of Utah:
33	Section 1. Section 31A-22-641 is enacted to read:
34	31A-22-641. Cancer treatment parity.
35	(1) For purposes of this section:
36	(a) "Cost sharing" means the enrollee's maximum out-of-pocket costs as defined by the
37	health benefit plan.
38	(b) "Health insurer" is as defined in Subsection 31A-22-634(1).
39	(c) "Intravenously administered chemotherapy" means a physician-prescribed cancer
40	treatment that is used to kill or slow the growth of cancer cells, that is administered through
41	injection directly into the patient's circulatory system by a physician, physician assistant, nurse
42	practitioner, nurse, or other medical personnel under the supervision of a physician, and in a
43	hospital, medical office, or other clinical setting.
44	(d) "Oral chemotherapy" means a United States Food and Drug
45	Administration-approved, physician-prescribed cancer treatment that is used to kill or slow the
46	growth of cancer cells, that is taken orally in the form of a tablet or capsule, and may be
47	administered in a hospital, medical office, or other clinical setting or may be delivered to the
48	patient for self-administration under the direction or supervision of a physician outside of a
49	hospital, medical office, or other clinical setting.
50	(2) This section applies to health benefit plans renewed or entered into on or after
51	October 1, 2013.
52	(3) A health benefit plan that covers prescribed oral chemotherapy and intravenously
53	administered chemotherapy shall:
54	(a) except as provided in Subsection (3)(b), ensure that the cost sharing applied to the
55	covered oral chemotherapy is no more restrictive than the cost sharing applied to the covered
56	intravenously administered chemotherapy; or
57	(b) if the cost sharing for oral chemotherapy is more restrictive than the cost sharing for

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58	intravenous chemotherapy, the health benefit plan may not apply cost sharing for the oral	
59	chemotherapy that exceeds \$300 per filled prescription.	
60	(4) (a) A health insurer shall not increase the cost sharing for intravenously	
61	administered chemotherapy for the purpose of achieving compliance with this section.	
62	(b) The commissioner may adopt administrative rules in accordance with Title 630	<u>3,</u>

Chapter 3, Utah Administrative Rulemaking Act, to enforce the provisions of this section.

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