

AMENDMENTS TO HOUSE BILL NO. 2340

Sponsor: SENATOR VANCE

Printer's No. 3757

1 Amend Bill, page 1, line 11, by inserting after "laws,"
2 in casualty insurance, providing for pharmaceutical coverage
3 for oral anticancer medications; and

4 Amend Bill, page 1, lines 15 through 17, by striking out all
5 of said lines and inserting

6 Section 1. The act of May 17, 1921 (P.L.682, No.284), known
7 as The Insurance Company Law of 1921, is amended by adding a
8 section and an article to read:

9 Section 631.1. Pharmaceutical Coverage for Oral Anticancer
10 Medications.--(a) Whenever an individual or group health,
11 sickness or accident insurance policy or subscriber contract or
12 certificate issued by any entity subject to the act of December
13 29, 1972 (P.L.1701, No.364), known as the "Health Maintenance
14 Organization Act," 40 Pa.C.S. Ch. 61 (relating to hospital plan
15 corporations) or 63 (relating to professional health services
16 plan corporations) or this act provides pharmaceutical coverage
17 that includes coverage for cancer chemotherapy or anticancer
18 medications which have been approved by the United States Food
19 and Drug Administration for general use in the treatment of
20 cancer, the policy shall not place orally administered
21 anticancer medications on a specialty tier or charge a
22 coinsurance payment for orally administered anticancer
23 medications. The prohibition of coinsurance payments applies to
24 charging a percentage of the cost of the medication or a flat-
25 fee cost that is specific to anticancer medication, but does not
26 include charging the minimal copayment that is usual for covered
27 prescription medications not on a specialty tier.

28 (b) Nothing in this section shall serve to diminish the
29 benefits of any insured or subscriber in effect on the effective
30 date of this section, nor prevent the offering or acceptance of
31 benefits which exceed the minimum benefits required by this
32 section.

33 (c) This section shall apply to those insurance policies,
34 subscriber contracts or certificates issued or entered into or
35 renewed on or after the effective date of this section.

36 (d) As used in this section:

37 "Anticancer medication" means a drug or biological product

1 that is used to kill, slow or prevent the growth of cancerous
2 cells.

3 "Specialty tier" means a formulary category for a
4 prescription drug that meets one or more of the following
5 criteria:

6 (1) A high-cost medication that is used to treat and is
7 prescribed for a person with a complex, chronic or rare medical
8 condition.

9 (2) The drug is not typically available at community retail
10 pharmacies.

11 (3) The drug requires special handling, storage or has
12 distribution or inventory limitations.

13 (4) The drug has a complex dosing regimen or requires
14 special administration.

15 (5) The drug is considered to have limited distribution by
16 the United States Food and Drug Administration.

17 (6) The drug requires complex and extended patient education
18 or counseling, intensive monitoring or clinical oversight.

19 (7) The drug has significant side effects or risk profile.

20 Amend Bill, page 19, line 4, by striking out all of said line
21 and inserting

22 Section 2. This act shall take effect as follows:

23 (1) The following shall take effect immediately:

24 (i) This section.

25 (ii) The addition of section 631.1 of the act.

26 (2) The remainder of this act shall take effect in 60
27 days.