



HOUSE COMMITTEE ON APPROPRIATIONS  
2009-10 Legislative Session

**FISCAL NOTE**

HOUSE BILL: 85

PRINTER'S NO: 77

PRIME SPONSOR: DeLuca

FISCAL IMPACT SUMMARY	FY 2008/09	FY 2009/10
<b>Expenditure Increase/(Decrease):</b>		
General Fund	\$0	\$0

**OVERVIEW:**

House Bill 85 creates a free-standing act to provide for insurance coverage for patient costs associated with cancer clinical trials.

Under the act, an insurance carrier would not be obligated to pay any costs directly associated with a cancer clinical trial in which the subscriber, insured or enrollee participates voluntarily, other than covered patient costs. The act includes a section on liability, specifying that no party is liable for damages associated with the treatment provided during any phase of a cancer clinical trial. In addition, benefits provided under a health benefits plan issued in the Commonwealth shall not supplant any portion of the clinical trial customarily paid for by government, biotechnical, pharmaceutical or medical device industry sources. Lastly, a trade association that represents a carrier may select a representative to voluntarily serve on the institutional review board of an institution that reviews and approves the proposed treatment or study conduct during the cancer clinical trial.

This act will apply to health benefit plans issued or renewed on or after January 1, 2010. The act will take effect immediately.

**ANALYSIS:**

House Bill 85 applies to insurance carriers. As a self-insured entity, the Commonwealth may choose to offer the benefit to its employees, though it is not mandated. Therefore, this analysis assumes that adoption will not impact Commonwealth funds.

**PREPARED BY:** Lisa M. Fleming, Budget Analyst  
House Appropriations Committee, (D)

**DATE:** March 11, 2009

**General Note and Disclaimer:** *This Fiscal Note was prepared pursuant to House Rule 19(a), and the elements considered and reported above are required by Section 5 of the rule. Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.*