SENATE APPROPRIATIONS COMMITTEE
FISCAL NOTE

BILL NO.   Senate Bill 1330

PRINTER NO.   1905

AMOUNT

See Fiscal Impact

FUND

General Fund

DATE INTRODUCED

September 15, 2022

PRIME SPONSOR

Senator K. Ward

DESCRIPTION

Senate Bill 1330 amends the Insurance Company Law of 1921 by adding a new Section 633.1. Coverage for BRCA-related Genetic Counseling and Testing to require insurance coverage for all costs associated with genetic counseling and testing for BRCA gene mutations for individuals at increased risk based on a clinical risk assessment tool and a personal or family history of breast or ovarian cancer.

The bill requires group and individual health insurance policies to cover genetic counseling and testing. The minimum coverage shall include all costs associated with genetic counseling and, if indicated after counseling, genetic testing for individuals at increased risk of BRCA 1 or BRCA 2 gene mutations due to personal or family history of breast or ovarian cancer.

Applicability shall be 180 days after the effective date for health insurance policies for which neither rates nor forms are required or upon the first filing on or after the effective date for health policies for which either rates or forms are required to be filed with the Insurance Department or the federal government.

This act shall take effect in 60 days.

FISCAL IMPACT:

The federal Affordable Care Act (ACA) establishes a list of Essential Health Benefits (EHB) that must be covered by any insurance plan offered on the health insurance exchange. If a state mandates coverage in addition to the EHB, the state may have to pay the cost of that mandate. However, while this requirement has been a part of the ACA since its passage, the federal government has yet to require any such payments from a state.

The genetic counseling and testing required by Senate Bill 1330 is not a part of the current federal EHB requirements. There is a possibility that the federal government might require the state to pay for the cost of the additional coverage in the future.