

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 606 Session of 2015

INTRODUCED BY BURNS, KOTIK, KILLION, ROZZI, D. COSTA, BROWNLEE, LONGIETTI, McNEILL, V. BROWN, PASHINSKI, DAVIDSON, KINSEY, DeLUCA, KIRKLAND, COHEN, MAHONEY, MURT, MOUL, WATSON AND SAINATO, FEBRUARY 24, 2015

REFERRED TO COMMITTEE ON INSURANCE, FEBRUARY 24, 2015

AN ACT

1 Amending the act of May 17, 1921 (P.L.682, No.284), entitled "An
 2 act relating to insurance; amending, revising, and
 3 consolidating the law providing for the incorporation of
 4 insurance companies, and the regulation, supervision, and
 5 protection of home and foreign insurance companies, Lloyds
 6 associations, reciprocal and inter-insurance exchanges, and
 7 fire insurance rating bureaus, and the regulation and
 8 supervision of insurance carried by such companies,
 9 associations, and exchanges, including insurance carried by
 10 the State Workmen's Insurance Fund; providing penalties; and
 11 repealing existing laws," in health and accident insurance,
 12 providing for oncology benefit design.

13 The General Assembly of the Commonwealth of Pennsylvania
 14 hereby enacts as follows:

15 Section 1. The act of May 17, 1921 (P.L.682, No.284), known
 16 as The Insurance Company Law of 1921, is amended by adding a
 17 section to read:

18 Section 631.1. Oncology Benefit Design.--(a) Individual or
 19 group health insurance policies offered by an insurer providing
 20 coverage for intravenously administered cancer chemotherapy that
 21 also provide coverage for orally administered cancer
 22 chemotherapy shall provide orally administered cancer

1 chemotherapy with no less favorable patient cost-sharing than
2 for covered intravenously administered chemotherapy. This shall
3 include copayments, deductibles, coinsurance provisions and
4 maximum out-of-pocket limits that are based upon how the
5 chemotherapy is administered to the patient.

6 (b) This section shall apply to individual or group health
7 insurance policies offered by an insurer that may offer coverage
8 for orally administered or injected chemotherapy as part of a
9 prescription drug benefit. This shall include offerings made
10 directly through the insurer or an entity that insurer has
11 contracted with to provide, deliver, arrange for or reimburse
12 for coverage.

13 (c) Compliance with this section cannot be achieved by
14 imposing cost increases to patients for their out-of-pocket
15 costs for those patients currently receiving covered
16 chemotherapy agents regardless of the form of administration.

17 (d) This section shall apply to health insurance policies
18 offered, issued or renewed on or after July 1, 2015, in this
19 Commonwealth. This section shall not include the following
20 policies:

21 (1) Accident only.

22 (2) Fixed indemnity.

23 (3) Limited benefit.

24 (4) Credit.

25 (5) Dental.

26 (6) Vision.

27 (7) Medicare supplement.

28 (8) CHAMPUS (Civilian Health and Medical Program of the
29 Uniformed Services) supplement.

30 (9) Long-term care or disability income.

1 (10) Long-term care.

2 (11) Workers' compensation.

3 (12) Automobile medical payment.

4 (e) The term "cancer chemotherapy" when used in this section
5 means medication that is prescribed by a physician for the
6 purpose of killing or slowing the growth of cancer cells.

7 (f) The term "insurer" when used in this section means a
8 company or health insurance entity licensed in this Commonwealth
9 to issue individual or group health, sickness or accident policy
10 or subscriber contract or certificate or plan that provides
11 medical or health care coverage by a health care facility or
12 licensed health care provider that is offered or governed under
13 this act or the following:

14 (1) The act of December 29, 1972 (P.L.1701, No.364), known
15 as the "Health Maintenance Organization Act."

16 (2) The act of May 18, 1976 (P.L.123, No.54), known as the
17 "Individual Accident and Sickness Insurance Minimum Standards
18 Act."

19 (3) 40 Pa.C.S. Ch. 61 (relating to hospital plan
20 corporations) or 63 (relating to professional health services
21 plan corporations).

22 Section 2. This act shall take effect July 1, 2016.