

HOUSE BILL 625

C3

EMERGENCY BILL

4r1608
CF SB 641

By: Delegates Nathan-Pulliam, Costa, Cullison, Hubbard, Kach, A. Kelly, Morhaim, Murphy, Pena-Melnyk, Reznik, ~~and V. Turner~~ V. Turner, Bromwell, Donoghue, Elliott, Hammen, Kipke, Krebs, McDonough, Oaks, Pendergrass, Ready, and Tarrant

Introduced and read first time: January 30, 2014

Assigned to: Health and Government Operations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 11, 2014

CHAPTER _____

1 AN ACT concerning

2 **Kathleen A. Mathias Oral Chemotherapy Improvement Act of 2014**

3 FOR the purpose of altering the scope of certain provisions of law relating to coverage
4 of cancer chemotherapy to include certain policies or contracts issued or
5 delivered by certain entities that provide essential health benefits required
6 under certain provisions of federal law; providing for the application of this Act;
7 ~~providing for the construction of this Act~~ making this Act an emergency
8 measure; and generally relating to health insurance coverage for cancer
9 chemotherapy.

10 BY repealing and reenacting, with amendments,

11 Article – Insurance

12 Section 15–846

13 Annotated Code of Maryland

14 (2011 Replacement Volume and 2013 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article – Insurance**

18 15–846.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (a) In this section, “cancer chemotherapy” means medication that is
2 prescribed by a licensed physician to kill or slow the growth of cancer cells.

3 (b) This section applies to:

4 (1) insurers and nonprofit health service plans that provide coverage
5 for both orally administered cancer chemotherapy and cancer chemotherapy that is
6 administered intravenously or by injection under health insurance policies or
7 contracts that are issued or delivered in the State; and

8 (2) health maintenance organizations that provide coverage for both
9 orally administered cancer chemotherapy and cancer chemotherapy that is
10 administered intravenously or by injection under contracts that are issued or delivered
11 in the State.

12 [(c) This section does not apply to a policy or contract issued or delivered by
13 an entity subject to this section that provides the essential health benefits required
14 under § 1302(a) of the Affordable Care Act.]

15 [(d)] (C) An entity subject to this section may not impose dollar limits,
16 copayments, deductibles, or coinsurance requirements on coverage for orally
17 administered cancer chemotherapy that are less favorable to an insured or enrollee
18 than the dollar limits, copayments, deductibles, or coinsurance requirements that
19 apply to coverage for cancer chemotherapy that is administered intravenously or by
20 injection.

21 [(e)] (D) An entity subject to this section may not reclassify cancer
22 chemotherapy or increase a copayment, deductible, coinsurance requirement, or other
23 out-of-pocket expense imposed on cancer chemotherapy to achieve compliance with
24 this section.

25 ~~(E) THIS SECTION MAY NOT BE CONSTRUED TO PROHIBIT AN ENTITY~~
26 ~~SUBJECT TO THIS SECTION FROM IMPOSING APPROPRIATE UTILIZATION~~
27 ~~CONTROLS IN APPROVING COVERAGE FOR CHEMOTHERAPY OR FROM USING~~
28 ~~TIERED FORMULARY DESIGNS.~~

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to all
30 policies, contracts, and health benefit plans that are issued, delivered, or renewed in
31 the State on or after January 1, 2015.

32 SECTION 3. AND BE IT FURTHER ENACTED, That this Act ~~shall take effect~~
33 October 1, 2014 is an emergency measure, is necessary for the immediate preservation
34 of the public health or safety, has been passed by a ye and nay vote supported by
35 three-fifths of all the members elected to each of the two Houses of the General
36 Assembly, and shall take effect from the date it is enacted.