

# SENATE BILL 641

C3

4lr2158  
CF HB 625

---

By: **Senators Mathias, Pugh, ~~and Raskin~~ Raskin, Astle, Brinkley, Feldman,  
Glassman, Kelley, Kittleman, Klausmeier, Middleton, and Ramirez**

Introduced and read first time: January 30, 2014

Assigned to: Finance

---

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 3, 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;~~ and generally relating to health  
8 insurance coverage for cancer chemotherapy.

9 BY repealing and reenacting, with amendments,  
10 Article – Insurance  
11 Section 15–846  
12 Annotated Code of Maryland  
13 (2011 Replacement Volume and 2013 Supplement)

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

16 **Article – Insurance**

17 15–846.

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

---

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 (b) This section applies to:

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

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

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

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

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

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

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to all  
28 policies, contracts, and health benefit plans that are issued, delivered, or renewed in  
29 the State on or after January 1, ~~2015~~ 2016.

30 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
31 October 1, 2014.