

HOUSE BILL 626

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CF SB 524

By: **Delegates Nathan–Pulliam, Benson, Costa, Donoghue, Hubbard, Jones, Kullen, Montgomery, Morhaim, Oaks, Pena–Melnyk, Tarrant, and V. Turner**

Introduced and read first time: February 3, 2010

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Health Insurance – Cancer Chemotherapy – Cost Sharing Equity**

3 FOR the purpose of prohibiting insurers, nonprofit health service plans, and health
4 maintenance organizations that provide coverage under certain policies or
5 contracts for certain cancer chemotherapy from imposing certain limits or cost
6 sharing on coverage for orally administered cancer chemotherapy that are less
7 favorable to an insured or enrollee than the limits or cost sharing on coverage
8 for cancer chemotherapy that is administered intravenously or by injection;
9 making certain provisions of this Act applicable to health maintenance
10 organizations; defining a certain term; providing for the application of this Act;
11 and generally relating to health insurance coverage for cancer chemotherapy.

12 BY adding to

13 Article – Insurance

14 Section 15–845

15 Annotated Code of Maryland

16 (2006 Replacement Volume and 2009 Supplement)

17 BY adding to

18 Article – Health – General

19 Section 19–706(cccc)

20 Annotated Code of Maryland

21 (2009 Replacement Volume)

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

24 **Article – Insurance**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 15-845.

2 (A) IN THIS SECTION, "CANCER CHEMOTHERAPY" MEANS MEDICATION
3 THAT IS PRESCRIBED BY A LICENSED PHYSICIAN TO KILL OR SLOW THE GROWTH
4 OF CANCER CELLS.

5 (B) THIS SECTION APPLIES TO:

6 (1) INSURERS AND NONPROFIT HEALTH SERVICE PLANS THAT
7 PROVIDE COVERAGE UNDER HEALTH INSURANCE POLICIES OR CONTRACTS
8 THAT ARE ISSUED OR DELIVERED IN THE STATE FOR:

9 (I) ORALLY ADMINISTERED CANCER CHEMOTHERAPY; AND

10 (II) CANCER CHEMOTHERAPY THAT IS ADMINISTERED
11 INTRAVENOUSLY OR BY INJECTION; AND

12 (2) HEALTH MAINTENANCE ORGANIZATIONS THAT PROVIDE
13 COVERAGE UNDER CONTRACTS THAT ARE ISSUED OR DELIVERED IN THE STATE
14 FOR:

15 (I) ORALLY ADMINISTERED CANCER CHEMOTHERAPY; AND

16 (II) CANCER CHEMOTHERAPY THAT IS ADMINISTERED
17 INTRAVENOUSLY OR BY INJECTION.

18 (C) AN ENTITY SUBJECT TO THIS SECTION MAY NOT IMPOSE DOLLAR
19 LIMITS, COPAYMENTS, DEDUCTIBLES, OR COINSURANCE REQUIREMENTS ON
20 COVERAGE FOR ORALLY ADMINISTERED CANCER CHEMOTHERAPY THAT ARE
21 LESS FAVORABLE TO AN INSURED OR ENROLLEE THAN THE DOLLAR LIMITS,
22 COPAYMENTS, DEDUCTIBLES, OR COINSURANCE REQUIREMENTS THAT APPLY
23 TO COVERAGE FOR CANCER CHEMOTHERAPY THAT IS ADMINISTERED
24 INTRAVENOUSLY OR BY INJECTION.

25 Article - Health - General

26 19-706.

27 (CCCC) THE PROVISIONS OF § 15-845 OF THE INSURANCE ARTICLE
28 APPLY TO HEALTH MAINTENANCE ORGANIZATIONS.

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to
30 all policies, contracts, and health benefit plans issued, delivered, or renewed in the
31 State on or after October 1, 2010.

1 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 2010.