

HOUSE BILL No. 4751

May 21, 2013, Introduced by Rep. Haines and referred to the Committee on Health Policy.

A bill to amend 1956 PA 218, entitled
"The insurance code of 1956,"
(MCL 500.100 to 500.8302) by adding section 3406t.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 3406T. (1) AN INSURER THAT ISSUES, ISSUES FOR DELIVERY,
2 OR RENEWS IN THIS STATE AN EXPENSE-INCURRED HOSPITAL, MEDICAL, OR
3 SURGICAL POLICY OR CERTIFICATE AND A HEALTH MAINTENANCE
4 ORGANIZATION THAT ISSUES OR RENEWS A GROUP OR INDIVIDUAL CONTRACT
5 THAT PROVIDES COVERAGE FOR PRESCRIBED ORALLY ADMINISTERED CANCER
6 MEDICATIONS AND INTRAVENOUSLY ADMINISTERED OR INJECTED CANCER
7 MEDICATIONS SHALL PROVIDE FOR BOTH OF THE FOLLOWING:

8 (A) THAT FINANCIAL REQUIREMENTS APPLICABLE TO PRESCRIBED
9 ORALLY ADMINISTERED CANCER MEDICATIONS ARE NO MORE RESTRICTIVE THAN
10 THE FINANCIAL REQUIREMENTS APPLIED TO INTRAVENOUSLY ADMINISTERED OR

1 INJECTED CANCER MEDICATIONS THAT ARE COVERED BY THE POLICY,
2 CERTIFICATE, OR CONTRACT AND THAT THERE ARE NO SEPARATE COST-
3 SHARING REQUIREMENTS THAT ARE APPLICABLE ONLY TO PRESCRIBED ORALLY
4 ADMINISTERED CANCER MEDICATIONS.

5 (B) THAT TREATMENT LIMITATIONS APPLICABLE TO PRESCRIBED ORALLY
6 ADMINISTERED CANCER MEDICATIONS ARE NO MORE RESTRICTIVE THAN THE
7 TREATMENT LIMITATIONS APPLIED TO INTRAVENOUSLY ADMINISTERED OR
8 INJECTED CANCER MEDICATIONS THAT ARE COVERED BY THE POLICY,
9 CERTIFICATE, OR CONTRACT AND THAT THERE ARE NO SEPARATE TREATMENT
10 LIMITATIONS THAT ARE APPLICABLE ONLY TO PRESCRIBED ORALLY
11 ADMINISTERED CANCER MEDICATIONS.

12 (2) AN INSURER OR HEALTH MAINTENANCE ORGANIZATION CANNOT
13 ACHIEVE COMPLIANCE WITH THIS SECTION BY INCREASING FINANCIAL
14 REQUIREMENTS OR IMPOSING MORE RESTRICTIVE TREATMENT LIMITATIONS ON
15 PRESCRIBED ORALLY ADMINISTERED CANCER MEDICATIONS OR INTRAVENOUSLY
16 ADMINISTERED OR INJECTED CANCER MEDICATIONS COVERED UNDER THE
17 POLICY, CERTIFICATE, OR CONTRACT ON THE EFFECTIVE DATE OF THE
18 AMENDATORY ACT THAT ADDED THIS SECTION.

19 (3) THIS SECTION DOES NOT PROHIBIT AN INSURER OR HEALTH
20 MAINTENANCE ORGANIZATION FROM INCREASING COST-SHARING FOR ALL
21 BENEFITS.

22 (4) THIS SECTION DOES NOT PROHIBIT AN INSURER OR HEALTH
23 MAINTENANCE ORGANIZATION FROM APPLYING UTILIZATION MANAGEMENT
24 TECHNIQUES, INCLUDING PRIOR AUTHORIZATION, STEP THERAPY, LIMITS ON
25 QUANTITY DISPENSED, AND DAYS' SUPPLY PER FILL FOR AN ORALLY
26 ADMINISTERED CANCER MEDICATION.

27 (5) AS USED IN THIS SECTION:

1 (A) "CANCER MEDICATION" MEANS A MEDICATION USED TO KILL OR
2 SLOW THE GROWTH OF CANCEROUS CELLS.

3 (B) "FINANCIAL REQUIREMENT" MEANS DEDUCTIBLES, COPAYMENTS,
4 COINSURANCE, OUT-OF-POCKET EXPENSES, AGGREGATE LIFETIME LIMITS, AND
5 ANNUAL LIMITS.

6 (C) "TREATMENT LIMITATION" MEANS LIMITS ON THE FREQUENCY OF
7 TREATMENT, DAYS OF COVERAGE, OR OTHER SIMILAR LIMITS ON THE SCOPE
8 OR DURATION OF TREATMENT.

9 Enacting section 1. This amendatory act applies to policies,
10 certificates, and contracts delivered, executed, issued, amended,
11 adjusted, or renewed in this state, or outside of this state if
12 covering residents of this state, beginning 180 days after the date
13 this amendatory act is enacted into law.