

**SUBSTITUTE FOR
HOUSE BILL NO. 4354**

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

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **Sec. 3406v. (1) A health insurance policy delivered, issued**
2 **for delivery, or renewed in this state that provides coverage for**
3 **prescribed orally administered anticancer medications and**
4 **intravenously administered or injected anticancer medications must**
5 **ensure either of the following:**

6 **(a) That financial requirements applicable to prescribed**
7 **orally administered anticancer medications are not more restrictive**
8 **than the financial requirements that apply to intravenously**
9 **administered or injected anticancer medications that are covered by**

1 the health insurance policy.

2 (b) That the co-pay or coinsurance for orally administered
3 anticancer medication does not exceed \$150.00 per 30-day supply.
4 Beginning January 1, 2024 and each January 1 thereafter, the
5 department shall adjust the financial requirement described in this
6 subdivision by an amount determined by the state treasurer that
7 reflects the cumulative annual change in the prescription drug
8 index of the medical care component of the United States Consumer
9 Price Index.

10 (2) An insurer cannot achieve compliance with this section by
11 increasing cost-sharing requirements, reclassifying benefits with
12 respect to anticancer medications, or imposing more restrictive
13 treatment limitations on prescribed orally administered anticancer
14 medications or intravenously administered or injected anticancer
15 medications covered under a health insurance policy described in
16 subsection (1).

17 (3) This section does not prohibit an insurer from applying
18 utilization management techniques, including prior authorization,
19 step therapy, limits on quantity dispensed, and days' supply per
20 fill for any administered anticancer medication.

21 (4) As used in this section:

22 (a) "Anticancer medication" means a medication used to kill,
23 slow, or prevent the growth of cancerous cells.

24 (b) "Cost-sharing requirement" means deductibles, copayments,
25 coinsurance, out-of-pocket expenses, aggregate lifetime limits, and
26 annual limits.

27 (c) "Treatment limitation" means limits on the frequency of
28 treatment, days of coverage, or other similar limits on the scope
29 or duration of treatment. Treatment limitation does not include the

1 **application of utilization management techniques described in**
2 **subsection (3).**

3 Enacting section 1. This amendatory act applies to health
4 insurance policies delivered, issued for delivery, or renewed in
5 this state after December 31, 2022.

6 Enacting section 2. This amendatory act does not take effect
7 unless House Bill No. 4347 of the 101st Legislature is enacted into
8 law.