

IN THE SENATE

SENATE BILL NO. 1034

BY HEALTH AND WELFARE COMMITTEE

AN ACT

RELATING TO HEALTH INSURANCE; AMENDING CHAPTER 18, TITLE 41, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 41-1853, IDAHO CODE, TO ESTABLISH PROVISIONS REGARDING ANTICANCER MEDICATIONS.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Chapter 18, Title 41, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 41-1853, Idaho Code, and to read as follows:

41-1853. ANTICANCER MEDICATIONS. (1) For purposes of this section:

(a) "Anticancer medication" means a drug or biologic used to kill, slow, or prevent the growth of cancerous cells, whether administered orally, intravenously, or by injection.

(b) "Health benefit plan" shall have the same meaning as provided in section 41-5903, Idaho Code.

(2) A health benefit plan covering anticancer medications determined to be necessary by a licensed oncologist and ordered by a licensed oncologist shall not assign a higher copayment, deductible, or coinsurance amount for a patient-administered anticancer medication than for an injected or intravenously administered anticancer medication.

(3) A health benefit plan covering an anticancer medication is not required to classify the anticancer medication as a medical benefit.

(4) A health benefit plan that provides coverage of anticancer medications cannot comply with the provisions of subsection (2) of this section by:

(a) Increasing the copayment, deductible, or coinsurance amount required for an anticancer medication covered under the health benefit plan; or

(b) Reclassifying benefits with respect to anticancer medications.