

By Senator Garcia

40-00719A-12

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1                   A bill to be entitled  
2           An act relating to cancer chemotherapy treatment;  
3           creating ss. 627.42391 and 641.3115, F.S.; requiring  
4           that a group insurance policy or group health  
5           maintenance contract that provides coverage for cancer  
6           chemotherapy treatment provide coverage for orally  
7           administered anticancer medication on a basis no less  
8           favorable than that required by the policy or contract  
9           for intravenously administered or injected anticancer  
10          medications; prohibiting an insurer from increasing a  
11          copayment, deductible, or coinsurance amount for  
12          intravenously administered or injected anticancer  
13          medications covered under a policy or contract;  
14          providing that an insurer is not prohibited from  
15          requiring prior authorization or imposing other  
16          appropriate utilization controls in approving coverage  
17          for any cancer chemotherapy treatment; providing that  
18          coverage for cancer chemotherapy treatment is not  
19          required; exempting the state group insurance program  
20          and Medicaid managed care plans from application of  
21          the act; providing an effective date.

22  
23 Be It Enacted by the Legislature of the State of Florida:

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25           Section 1. Section 627.42391, Florida Statutes, is created  
26 to read:

27           627.42391 Cancer chemotherapy treatment parity.-

28           (1) A group insurance policy that provides coverage for  
29 cancer chemotherapy treatment must provide coverage for a

40-00719A-12

20121066

30 prescribed, orally administered anticancer medication on a basis  
31 no less favorable than that required by the policy for  
32 intravenously administered or injected anticancer medications.

33 (2) An insurer may not increase a copayment, deductible, or  
34 coinsurance amount for intravenously administered or injected  
35 anticancer medications that are covered under its policies on  
36 July 1, 2012.

37 (3) This section does not prohibit an insurer from  
38 requiring prior authorization or imposing other appropriate  
39 utilization controls in approving coverage for any cancer  
40 chemotherapy treatment.

41 (4) This section does not require coverage for cancer  
42 chemotherapy treatment.

43 (5) This section does not apply to:

44 (a) The state group insurance program; or

45 (b) A managed care plan under the Medicaid program.

46 Section 2. Section 641.3115, Florida Statutes, is created  
47 to read:

48 641.3115 Cancer chemotherapy treatment parity.—

49 (1) A group health maintenance contract that provides  
50 coverage for cancer chemotherapy treatment must provide coverage  
51 for a prescribed, orally administered anticancer medication on a  
52 basis no less favorable than that required under the health  
53 maintenance contract for intravenously administered or injected  
54 anticancer medications.

55 (2) A group health maintenance organization may not  
56 increase a copayment, deductible, or coinsurance amount for  
57 intravenously administered or injected anticancer medications  
58 covered under its health maintenance contracts on July 1, 2012.

40-00719A-12

20121066\_\_

59       (3) This section does not prohibit a health maintenance  
60 organization from requiring prior authorization or imposing  
61 other appropriate utilization controls in approving coverage for  
62 any cancer chemotherapy treatment.

63       (4) This section does not require coverage for cancer  
64 chemotherapy treatment.

65       (5) This section does not apply to:

66       (a) The state group insurance program; or

67       (b) A managed care plan under the Medicaid program.

68       Section 3. This act shall take effect July 1, 2012.