

HB 1517 - H AMD 122

By Representative Jinkins

WITHDRAWN 03/04/2011

1 Strike everything after the enacting clause and insert the
2 following:

3
4 "NEW SECTION. **Sec. 1.** The Washington state legislature finds
5 that for cancer patients, there is an inequity in how much they have
6 to pay toward the cost of a self administered medication and how much
7 they have to pay for an intravenous product that is administered in a
8 physician's office or clinic. The legislature further finds that when
9 these inequities exist, patients' access to medically necessary,
10 appropriate treatment is often unfairly restricted. The legislature
11 also acknowledges that self administered chemotherapy is the only
12 treatment for some types of cancer where there is no intravenous
13 alternative. The legislature declares that in order to reduce the
14 out-of-pocket costs for cancer patients whose diagnosis requires
15 treatment through self administered anticancer medication, the cost-
16 sharing responsibilities for these patients must be equitable to those
17 of patients receiving intravenously administered anticancer
18 medication.

19
20 NEW SECTION. **Sec. 2.** A new section is added to chapter 41.05 RCW
21 to read as follows:

22 (1) Each health plan offered to public employees and their covered
23 dependents under this chapter, including those subject to the
24 provision of Title 48 RCW, and is issued or renewed beginning January
25 1, 2012, and provides coverage for cancer chemotherapy treatment must
26 provide coverage for prescribed, self administered anticancer
27 medication that is used to kill or slow the growth of cancerous cells

1 on a basis comparable to intravenously administered or injected cancer
2 medications.

3 (2) Nothing in this section may be interpreted to prohibit a
4 health plan from administering a formulary or preferred drug list,
5 requiring prior authorization, or imposing other appropriate
6 utilization controls in approving coverage for any chemotherapy.

7
8 NEW SECTION. **Sec. 3.** A new section is added to chapter 48.20 RCW
9 to read as follows:

10 (1) Each health plan issued or renewed on or after January 1,
11 2012, that provides coverage for cancer chemotherapy treatment must
12 provide coverage for prescribed, self administered anticancer
13 medication that is used to kill or slow the growth of cancerous cells
14 on terms no less favorable than cancer chemotherapy medications
15 administered by a health care provider or facility as defined in RCW
16 48.43.005(15) and (16).

17 (2) Nothing in this section may be interpreted to prohibit a
18 health plan from administering a formulary or preferred drug list,
19 requiring prior authorization, or imposing other appropriate
20 utilization controls in approving coverage for any chemotherapy.

21
22 NEW SECTION. **Sec. 4.** A new section is added to chapter 48.21 RCW
23 to read as follows:

24 (1) Each health plan issued or renewed on or after January 1,
25 2012, that provides coverage for cancer chemotherapy treatment must
26 provide coverage for prescribed, self administered anticancer
27 medication that is used to kill or slow the growth of cancerous cells
28 on terms no less favorable than cancer chemotherapy medications
29 administered by a health care provider or facility as defined in RCW
30 48.43.005(15) and (16).

31 (2) Nothing in this section may be interpreted to prohibit a
32 health plan from administering a formulary or preferred drug list,
33 requiring prior authorization, or imposing other appropriate
34 utilization controls in approving coverage for any chemotherapy.

1 NEW SECTION. **Sec. 5.** A new section is added to chapter 48.44 RCW
2 to read as follows:

3 (1) Each health plan issued or renewed on or after January 1,
4 2012, that provides coverage for cancer chemotherapy treatment must
5 provide coverage for prescribed, self administered anticancer
6 medication that is used to kill or slow the growth of cancerous cells
7 on terms no less favorable than cancer chemotherapy medications
8 administered by a health care provider or facility as defined in RCW
9 48.43.005(15) and (16).

10 (2) Nothing in this section may be interpreted to prohibit a
11 health plan from administering a formulary or preferred drug list,
12 requiring prior authorization, or imposing other appropriate
13 utilization controls in approving coverage for any chemotherapy.
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15 NEW SECTION. **Sec. 6.** A new section is added to chapter 48.46 RCW
16 to read as follows:

17 (1) Each health plan issued or renewed on or after January 1,
18 2012, that provides coverage for cancer chemotherapy treatment must
19 provide coverage for prescribed, self administered anticancer
20 medication that is used to kill or slow the growth of cancerous cells
21 on terms no less favorable than cancer chemotherapy medications
22 administered by a health care provider or facility as defined in RCW
23 48.43.005(15) and (16).

24 (2) Nothing in this section may be interpreted to prohibit a
25 health plan from administering a formulary or preferred drug list,
26 requiring prior authorization, or imposing other appropriate
27 utilization controls in approving coverage for any chemotherapy."
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EFFECT:

For plans offered to state employees:

- Allows the plans to administer a formulary or preferred drug list; and
- Applies the comparable coverage requirements to plans subject to insurance regulations (the original bill only applied to plans not subject to insurance regulation).

For private health plans:

- Changes the category of medications to which the bill applies from "orally administered" medications to "self administered" medications;
- Requires self administered drugs to be offered on terms no less favorable than chemotherapy medications administered by health providers or facilities (the original bill required the medications to be offered on a comparable basis to chemotherapy medications administered intravenously or by injection); and
- Allows plans to administer a formulary or preferred drug list.

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