

EHB 1517 - S COMM AMD

By Committee on Health & Long-Term Care

ADOPTED 04/06/2011

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

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

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

20 (1) Each health plan offered to public employees and their covered
21 dependents under this chapter, including those subject to the provision
22 of Title 48 RCW, and is issued or renewed beginning January 1, 2012,
23 and provides coverage for cancer chemotherapy treatment must provide
24 coverage for prescribed, self-administered anticancer medication that
25 is used to kill or slow the growth of cancerous cells on a basis at
26 least comparable to cancer chemotherapy medications administered by a
27 health care provider or facility as defined in RCW 48.43.005 (15) and
28 (16).

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

5 NEW SECTION. **Sec. 3.** A new section is added to chapter 48.20 RCW
6 to read as follows:

7 (1) Each health plan issued or renewed on or after January 1, 2012,
8 that provides coverage for cancer chemotherapy treatment must provide
9 coverage for prescribed, self-administered anticancer medication that
10 is used to kill or slow the growth of cancerous cells on a basis at
11 least comparable to cancer chemotherapy medications administered by a
12 health care provider or facility as defined in RCW 48.43.005 (15) and
13 (16).

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

18 NEW SECTION. **Sec. 4.** A new section is added to chapter 48.21 RCW
19 to read as follows:

20 (1) Each health plan issued or renewed on or after January 1, 2012,
21 that provides coverage for cancer chemotherapy treatment must provide
22 coverage for prescribed, self-administered anticancer medication that
23 is used to kill or slow the growth of cancerous cells on a basis at
24 least comparable to cancer chemotherapy medications administered by a
25 health care provider or facility as defined in RCW 48.43.005 (15) and
26 (16).

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

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

33 (1) Each health plan issued or renewed on or after January 1, 2012,
34 that provides coverage for cancer chemotherapy treatment must provide
35 coverage for prescribed, self-administered anticancer medication that

1 is used to kill or slow the growth of cancerous cells on a basis at
2 least comparable to cancer chemotherapy medications administered by a
3 health care provider or facility as defined in RCW 48.43.005 (15) and
4 (16).

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

9 NEW SECTION. **Sec. 6.** A new section is added to chapter 48.46 RCW
10 to read as follows:

11 (1) Each health plan issued or renewed on or after January 1, 2012,
12 that provides coverage for cancer chemotherapy treatment must provide
13 coverage for prescribed, self-administered anticancer medication that
14 is used to kill or slow the growth of cancerous cells on a basis at
15 least comparable to cancer chemotherapy medications administered by a
16 health care provider or facility as defined in RCW 48.43.005 (15) and
17 (16).

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

22 NEW SECTION. **Sec. 7.** Each health plan offering individual or
23 small group products that provides coverage for prescribed, self-
24 administered anticancer medication as required under this act must
25 report to the health committees of the legislature by November 1, 2013,
26 with a summary of their cost experience."

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27 On page 1, line 2 of the title, after "medication;" strike the
28 remainder of the title and insert "adding a new section to chapter

1 41.05 RCW; adding a new section to chapter 48.20 RCW; adding a new
2 section to chapter 48.21 RCW; adding a new section to chapter 48.44
3 RCW; adding a new section to chapter 48.46 RCW; and creating new
4 sections."

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