

Senate Study Bill 1009 - Introduced

SENATE FILE _____

BY (PROPOSED COMMITTEE ON
HEALTH AND HUMAN SERVICES
BILL BY CHAIRPERSON EDLER)

A BILL FOR

1 An Act relating to insurance coverage for prescription drugs
2 used in the treatment of metastatic cancer and associated
3 conditions.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 514C.24A Prescription drugs —
2 metastatic cancer and associated conditions.

3 1. As used in this section, unless the context otherwise
4 requires:

5 a. "*Associated conditions*" means symptoms or side effects
6 associated with metastatic cancer, or with the health care
7 services for metastatic cancer provided by a covered person's
8 health care professional and which in the judgment of the
9 covered person's health professional jeopardizes the health of
10 the covered person.

11 b. "*Covered person*" means a policyholder, subscriber, or
12 other person participating in a policy, contract, or plan that
13 provides for third-party payment or prepayment of health or
14 medical expenses that provides coverage for prescription drugs.

15 c. "*Health care professional*" means the same as defined in
16 section 514J.102.

17 d. "*Health care services*" means services for the diagnosis,
18 prevention, treatment, cure, or relief of a health condition,
19 illness, injury, or disease.

20 e. "*Metastatic cancer*" means cancer that has spread from
21 the primary or original site of the cancer to tissue, lymph
22 nodes, or other parts of the body. Metastatic cancer may also
23 be referred to as advanced cancer or stage 4 cancer.

24 f. "*Prescription cancer drug*" means a prescription drug that
25 is used for the treatment of metastatic cancer or associated
26 conditions.

27 g. "*Prescription drug*" means a prescription drug that has
28 been prescribed as medically necessary by a covered person's
29 health care professional.

30 h. "*Step therapy protocol*" means the same as defined in
31 section 514F.7.

32 2. a. Notwithstanding the uniformity of treatment
33 requirements of section 514C.6, a policy, contract, or plan
34 providing for third-party payment or prepayment of health or
35 medical expenses that provides coverage for prescription drugs

1 shall provide coverage for prescription cancer drugs.

2 *b.* Notwithstanding section 514F.7, the policy, contract, or
3 plan shall provide coverage, without imposing a step therapy
4 protocol, for a prescription cancer drug that meets all of the
5 following requirements:

6 (1) The use of the prescription cancer drug is in accordance
7 with the medical standards of care for metastatic cancer or
8 associated conditions.

9 (2) The use of the prescription cancer drug for metastatic
10 cancer and associated conditions is supported by peer-reviewed,
11 evidence-based literature.

12 (3) The prescription cancer drug has been approved by the
13 United States food and drug administration.

14 3. *a.* This section applies to the following classes of
15 third-party payment provider contracts, policies, or plans
16 delivered, issued for delivery, continued, or renewed in this
17 state on or after January 1, 2024:

18 (1) Individual or group accident and sickness insurance
19 providing coverage on an expense-incurred basis.

20 (2) An individual or group hospital or medical service
21 contract issued pursuant to chapter 509, 514, or 514A.

22 (3) An individual or group health maintenance organization
23 contract regulated under chapter 514B.

24 (4) A plan established for public employees pursuant to
25 chapter 509A.

26 *b.* This section shall not apply to accident-only, specified
27 disease, short-term hospital or medical, hospital confinement
28 indemnity, credit, dental, vision, Medicare supplement,
29 long-term care, basic hospital and medical-surgical expense
30 coverage as defined by the commissioner of insurance,
31 disability income insurance coverage, coverage issued as a
32 supplement to liability insurance, workers' compensation or
33 similar insurance, or automobile medical payment insurance.

34 4. The commissioner of insurance may adopt rules pursuant to
35 chapter 17A to administer this section.

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EXPLANATION

The inclusion of this explanation does not constitute agreement with the explanation's substance by the members of the general assembly.

This bill relates to insurance coverage for prescription drugs used in the treatment of metastatic cancer.

The bill requires policies, contracts, or plans providing for third-party payment or prepayment of health or medical expenses that provide coverage for prescription drugs to provide coverage for prescription cancer drugs. "Prescription cancer drug" is defined in the bill as a prescription drug that is used to treat metastatic cancer or associated conditions. "Metastatic cancer" is also defined in the bill.

The policy, contract, or plan is required to provide coverage, without imposing a step therapy protocol, for a prescription cancer drug that has been approved by the United States food and drug administration, the use of which is in accordance with medical standards of care for metastatic cancer and associated conditions, and the use of which is supported by peer-reviewed, evidence-based literature. "Associated conditions" is defined in the bill. "Step therapy protocol" is defined in the bill as a protocol or program that establishes a specific sequence in which prescription drugs for a specified medical condition and medically appropriate for a particular covered person are covered under a pharmacy or medical benefit by a health carrier, a health benefit plan, or a utilization review organization, including self-administered drugs and drugs administered by a health care professional.

The bill applies to the third-party payment providers enumerated in the bill. The bill specifies the types of specialized health-related insurance which are not subject to the coverage requirements of the bill.

The commissioner of insurance may adopt rules to administer the requirements of the bill.

The provisions of the bill are applicable to third-party payment provider contracts, policies, or plans delivered,

S.F. _____

1 issued for delivery, continued, or renewed in this state on or
2 after January 1, 2024.