

# SENATE BILL 641

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CF HB 625

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By: **Senators Mathias, Pugh, and Raskin**  
Introduced and read first time: January 30, 2014  
Assigned to: Finance

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## A BILL ENTITLED

1 AN ACT concerning

2 **Kathleen A. Mathias Oral Chemotherapy Improvement Act of 2014**

3 FOR the purpose of altering the scope of certain provisions of law relating to coverage  
4 of cancer chemotherapy to include certain policies or contracts issued or  
5 delivered by certain entities that provide essential health benefits required  
6 under certain provisions of federal law; providing for the application of this Act;  
7 providing for the construction of this Act; and generally relating to health  
8 insurance coverage for cancer chemotherapy.

9 BY repealing and reenacting, with amendments,  
10 Article – Insurance  
11 Section 15–846  
12 Annotated Code of Maryland  
13 (2011 Replacement Volume and 2013 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article – Insurance**

17 15–846.

18 (a) In this section, “cancer chemotherapy” means medication that is  
19 prescribed by a licensed physician to kill or slow the growth of cancer cells.

20 (b) This section applies to:

21 (1) insurers and nonprofit health service plans that provide coverage  
22 for both orally administered cancer chemotherapy and cancer chemotherapy that is  
23 administered intravenously or by injection under health insurance policies or  
24 contracts that are issued or delivered in the State; and

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1           (2) health maintenance organizations that provide coverage for both  
2 orally administered cancer chemotherapy and cancer chemotherapy that is  
3 administered intravenously or by injection under contracts that are issued or delivered  
4 in the State.

5           [(c) This section does not apply to a policy or contract issued or delivered by  
6 an entity subject to this section that provides the essential health benefits required  
7 under § 1302(a) of the Affordable Care Act.]

8           [(d)](C) An entity subject to this section may not impose dollar limits,  
9 copayments, deductibles, or coinsurance requirements on coverage for orally  
10 administered cancer chemotherapy that are less favorable to an insured or enrollee  
11 than the dollar limits, copayments, deductibles, or coinsurance requirements that  
12 apply to coverage for cancer chemotherapy that is administered intravenously or by  
13 injection.

14           [(e)](D) An entity subject to this section may not reclassify cancer  
15 chemotherapy or increase a copayment, deductible, coinsurance requirement, or other  
16 out-of-pocket expense imposed on cancer chemotherapy to achieve compliance with  
17 this section.

18           **(E) THIS SECTION MAY NOT BE CONSTRUED TO PROHIBIT AN ENTITY**  
19 **SUBJECT TO THIS SECTION FROM IMPOSING APPROPRIATE UTILIZATION**  
20 **CONTROLS IN APPROVING COVERAGE FOR CHEMOTHERAPY OR FROM USING**  
21 **TIERED FORMULARY DESIGNS.**

22           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall apply to all  
23 policies, contracts, and health benefit plans that are issued, delivered, or renewed in  
24 the State on or after January 1, 2015.

25           SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
26 October 1, 2014.