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State of Minnesota

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Page No. **373**

HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH  
SESSION

HOUSE FILE No. **1847**

March 18, 2009

Authored by Fritz, Hayden, Davids, Lillie, Atkins and others

The bill was read for the first time and referred to the Committee on Health Care and Human Services Policy and Oversight

February 22, 2010

Committee Recommendation and Adoption of Report:

To Pass as Amended and re-referred to the Committee on Commerce and Labor

March 8, 2010

Committee Recommendation and Adoption of Report:

To Pass and Read Second Time

April 26, 2010

By motion, re-referred to the Committee on Finance

1.1 A bill for an act  
1.2 relating to insurance; requiring health plans to establish equal out-of-pocket  
1.3 requirements for oral chemotherapy medications and intravenously administered  
1.4 chemotherapy medications; proposing coding for new law in Minnesota Statutes,  
1.5 chapter 62A.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. **[62A.3075] CANCER CHEMOTHERAPY TREATMENT**

1.8 **COVERAGE.**

1.9 (a) A health plan company that provides coverage under a health plan for cancer  
1.10 chemotherapy treatment shall not require a higher co-payment, deductible, or coinsurance  
1.11 amount for a prescribed, orally administered anticancer medication that is used to kill or  
1.12 slow the growth of cancerous cells than what the health plan requires for an intravenously  
1.13 administered or injected cancer medication that is provided, regardless of formulation or  
1.14 benefit category determination by the health plan company.

1.15 (b) A health plan company shall not achieve compliance with this section  
1.16 by imposing an increase in co-payment, deductible, or coinsurance amount for an  
1.17 intravenously administered or injected cancer chemotherapy agents covered under the  
1.18 health plan.

1.19 (c) Nothing in this section shall be interpreted to prohibit a health plan company  
1.20 from requiring prior authorization or imposing other appropriate utilization controls in  
1.21 approving coverage for any chemotherapy.

1.22 **EFFECTIVE DATE.** Paragraphs (a) and (c) are effective August 1, 2010, and apply  
1.23 to health plans providing coverage to a Minnesota resident offered, issued, sold, renewed,

- 2.1 or continued as defined in Minnesota Statutes, section 60A.02, subdivision 2a, on or after
- 2.2 that date. Paragraph (b) is effective the day following final enactment.