

AMENDMENTS TO LB799

(Amendments to Standing Committee amendments, AM1730)

Introduced by Nordquist

1 1. Insert the following new section:

2 Sec. 2. Section 44-7,104, Revised Statutes Cumulative
3 Supplement, 2012, is amended to read:

4 44-7,104 (1) Notwithstanding section 44-3,131, (a) any
5 individual or group sickness and accident insurance policy,
6 certificate, or subscriber contract delivered, issued for delivery,
7 or renewed in this state and any hospital, medical, or surgical
8 expense-incurred policy, except for policies that provide coverage
9 for a specified disease or other limited-benefit coverage, and (b)
10 any self-funded employee benefit plan to the extent not preempted
11 by federal law that provides coverage for cancer treatment shall
12 provide coverage for a prescribed, orally administered anticancer
13 medication that is used to kill or slow the growth of cancerous
14 cells on a basis no less favorable than intravenously administered
15 or injected anticancer medications that are covered as medical
16 benefits by the policy, certificate, contract, or plan.

17 (2) This section does not prohibit such policy,
18 certificate, contract, or plan from requiring prior authorization
19 for a prescribed, orally administered anticancer medication. If
20 such medication is authorized, the cost to the covered individual
21 shall not exceed the coinsurance or copayment that would be applied
22 to any other cancer treatment involving intravenously administered

1 or injected anticancer medications.

2 (3) A policy, certificate, contract, or plan provider
3 shall not reclassify any anticancer medication or increase a
4 coinsurance, copayment, deductible, or other out-of-pocket expense
5 imposed on any anticancer medication to achieve compliance with
6 this section. Any change that otherwise increases an out-of-pocket
7 expense applied to any anticancer medication shall also be applied
8 to the majority of comparable medical or pharmaceutical benefits
9 under the policy, certificate, contract, or plan.

10 (4) This section does not prohibit a policy, certificate,
11 contract, or plan provider from increasing cost-sharing for all
12 benefits, including cancer treatments.

13 (5) This section shall apply to any policy, certificate,
14 contract, or plan that is delivered, issued for delivery, or
15 renewed in this state on or after October 1, 2012.

16 ~~(6) This section terminates on December 31, 2015.~~

17 2. On page 4, line 4, strike "is" and insert "and section
18 44-7,104, Revised Statutes Cumulative Supplement, 2012, are".

19 3. Renumber the remaining section accordingly.