
A BILL FOR AN ACT

RELATING TO HEALTH.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 431:10A-126, Hawaii Revised Statutes,
2 is amended to read as follows:

3 " ~~§~~431:10A-126 ~~§~~ **Chemotherapy services.** (a)

4 Notwithstanding section 23-51, all individual and group accident
5 and health or sickness insurance policies that include coverage
6 or benefits for the treatment of cancer shall provide payment or
7 reimbursement for all chemotherapy that is considered medically
8 necessary as defined in section 432E-1.4, including orally
9 administered chemotherapy, at the same or lower copayment
10 percentage or relative coinsurance amount as is applied to
11 intravenously administered chemotherapy; and which shall apply
12 equally to generic and non-generic medications; provided that
13 this section shall not apply to an accident only, specified
14 disease, hospital indemnity, long-term care, or other limited
15 benefit health insurance policy. Individual and group accident
16 and health or sickness insurance policies shall not increase
17 enrollee cost sharing for non-generic cancer medications to any



1 greater extent than the policy increases enrollee cost sharing
2 for other non-generic covered medication.

3 (b) For the purposes of this section:

4 "Cost share" or "cost sharing" means copayment,
5 coinsurance, or deductible provisions applicable to coverage for
6 oral, intravenous, or injected non-generic cancer medications.

7 [~~"Intravenously administered chemotherapy"~~] "Intravenous or
8 injected cancer medication" means a physician-prescribed cancer
9 treatment that is administered through injection directly into
10 the patient's circulatory system by a physician, physician
11 assistant, nurse practitioner, nurse, or other medical personnel
12 under the supervision of a physician and in a hospital, medical
13 office, or other clinical setting.

14 "Oral chemotherapy" means a United States Food and Drug
15 Administration-approved, physician-prescribed cancer treatment
16 that is taken orally in the form of a tablet or capsule and may
17 be administered in a hospital, medical office, or other clinical
18 setting or may be delivered to the patient for self-
19 administration under the direction or supervision of a physician
20 outside of a hospital, medical office, or other clinical
21 setting."



1 SECTION 2. Section 432:1-616, Hawaii Revised Statutes, is
2 amended to read as follows:

3 " ~~[+]~~§432:1-616~~[+]~~ **Chemotherapy services.** (a) All
4 individual and group hospital and medical service plan contracts
5 that include coverage or benefits for the treatment of cancer
6 shall provide payment or reimbursement for all chemotherapy that
7 is considered medically necessary as defined in section 432E-
8 1.4, including orally administered chemotherapy, at the same or
9 lower copayment percentage or relative coinsurance amount as is
10 applied to intravenously administered chemotherapy; and shall
11 apply equally to generic and non-generic medications; provided
12 that this section shall not apply to an accident only, specified
13 disease, hospital indemnity, long-term care, or other limited
14 benefit health insurance policy. Individual and group hospital
15 and medical service plan contracts shall not increase enrollee
16 cost sharing for non-generic cancer medications to any greater
17 extent than the contract increases enrollee cost sharing for
18 other non-generic covered medication.

19 (b) For the purposes of this section:

20 "Cost share" or "cost sharing" means copayment,
21 coinsurance, or deductible provisions applicable to coverage for
22 oral, intravenous, or injected non-generic cancer medications.



1 [~~"Intravenously administered chemotherapy"~~] "Intravenous or
2 injected cancer medication" means a physician-prescribed cancer
3 treatment that is administered through injection directly into
4 the patient's circulatory system by a physician, physician
5 assistant, nurse practitioner, nurse, or other medical personnel
6 under the supervision of a physician and in a hospital, medical
7 office, or other clinical setting.

8 "Oral chemotherapy" means a United States Food and Drug
9 Administration-approved, physician-prescribed cancer treatment
10 that is taken orally in the form of a tablet or capsule and may
11 be administered in a hospital, medical office, or other clinical
12 setting or may be delivered to the patient for self-
13 administration under the direction or supervision of a physician
14 outside of a hospital, medical office, or other clinical
15 setting."

16 SECTION 3. Statutory material to be repealed is bracketed
17 and stricken. New statutory material is underscored.

18 SECTION 4. This Act shall take effect upon its approval.



Report Title:

Insurance; Chemotherapy

Description:

Limits out-of-pocket costs for cancer medications, including non-generic oral chemotherapy, under health insurance plans.
(HB1964 HD1)

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