
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.~~ Cancer
4 treatment. (a) Notwithstanding section 23-51, all individual
5 and group accident and health or sickness insurance policies
6 that include coverage or benefits for the treatment of cancer
7 shall provide payment or reimbursement for all types of
8 chemotherapy that ~~[is]~~ are considered medically necessary as
9 defined in section 432E-1.4~~[-, including].~~

10 (b) The cost-sharing for generic and non-generic [orally
11 ~~administered] oral chemotherapy[-] shall be provided at the same
12 or lower [copayment percentage or relative coinsurance] amount
13 or percentage as is applied to generic and non-generic
14 intravenously administered chemotherapy; provided that [this
15 ~~section shall not apply to an accident only, specified disease,~~
16 ~~hospital indemnity, long term care, or other limited benefit~~
17 ~~health insurance policy.] an insurer shall not increase the~~~~



1 cost-share for intravenously administered chemotherapy in order
2 to achieve compliance with this subsection.

3 (c) Individual and group accident and health or sickness
4 insurance policies shall not increase enrollee cost-sharing for
5 non-generic medications used for the treatment of cancer to any
6 greater extent than such policies increase enrollee cost-sharing
7 for other covered non-generic medication.

8 [~~(b)~~] (d) For the purposes of this section:

9 "Cost-share" or "cost-sharing" means copayment,
10 coinsurance, or deductible provisions applicable to coverage for
11 medications or treatments.

12 "Intravenously administered chemotherapy" means a
13 physician-prescribed cancer treatment that is administered
14 through injection directly into the patient's circulatory system
15 by a physician, physician assistant, nurse practitioner, nurse,
16 or other medical personnel under the supervision of a physician
17 and in a hospital, medical office, or other clinical setting.

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



1 administration under the direction or supervision of a physician
2 outside of a hospital, medical office, or other clinical
3 setting.

4 (e) This section shall not apply to an accident-only,
5 specified disease, hospital indemnity, long-term care, or other
6 limited-benefit health insurance policy."

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

9 "~~[§]432:1-616~~ ~~Chemotherapy services.~~ Cancer treatment.

10 (a) All individual and group hospital and medical service plan
11 contracts that include coverage or benefits for the treatment of
12 cancer shall provide payment or reimbursement for all types of
13 chemotherapy that ~~[is]~~ are considered medically necessary as
14 defined in section 432E-1.4~~[, including]~~.

15 (b) The cost-sharing for generic and non-generic ~~[orally~~
16 ~~administered]~~ oral chemotherapy~~[,]~~ shall be provided at the same
17 or lower ~~[copayment percentage or relative coinsurance]~~ amount
18 or percentage as is applied to generic and non-generic
19 intravenously administered chemotherapy; provided that ~~[this~~
20 ~~section shall not apply to an accident only, specified disease,~~
21 ~~hospital indemnity, long term care, or other limited benefit~~
22 ~~health insurance policy.]~~ an insurer shall not increase the



1 cost-share for intravenously administered chemotherapy in order
2 to achieve compliance with this subsection.

3 (c) Individual and group hospital and medical service plan
4 contracts shall not increase enrollee cost-sharing for non-
5 generic medications used for the treatment of cancer to any
6 greater extent than such policies increase enrollee cost-sharing
7 for other covered non-generic medication.

8 [~~(b)~~] (d) For the purposes of this section:

9 "Cost-share" or "cost-sharing" means copayment,
10 coinsurance, or deductible provisions applicable to coverage for
11 medications or treatments.

12 "Intravenously administered chemotherapy" means a
13 physician-prescribed cancer treatment that is administered
14 through injection directly into the patient's circulatory system
15 by a physician, physician assistant, nurse practitioner, nurse,
16 or other medical personnel under the supervision of a physician
17 and in a hospital, medical office, or other clinical setting.

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



1 administration under the direction or supervision of a physician
2 outside of a hospital, medical office, or other clinical
3 setting.

4 (e) This section shall not apply to an accident-only,
5 specified disease, hospital indemnity, long-term care, or other
6 limited-benefit health insurance policy."

7 SECTION 3. Statutory material to be repealed is bracketed
8 and stricken. New statutory material is underscored.

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



Report Title:

Insurance; Cancer treatment

Description:

Limits out-of-pocket costs for cancer treatment under health insurance plans. (HB1964 HD2)

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