

Senate Engrossed House Bill

State of Arizona
House of Representatives
Fifty-first Legislature
Second Regular Session
2014

FILED
KEN BENNETT
SECRETARY OF STATE

CHAPTER 255

HOUSE BILL 2078

AN ACT

AMENDING TITLE 20, CHAPTER 4, ARTICLE 3, ARIZONA REVISED STATUTES, BY ADDING SECTION 20-841.10; AMENDING TITLE 20, CHAPTER 4, ARTICLE 9, ARIZONA REVISED STATUTES, BY ADDING SECTION 20-1057.14; AMENDING TITLE 20, CHAPTER 6, ARTICLE 4, ARIZONA REVISED STATUTES, BY ADDING SECTION 20-1376.05; AMENDING TITLE 20, CHAPTER 6, ARTICLE 5, ARIZONA REVISED STATUTES, BY ADDING SECTION 20-1406.06; RELATING TO HEALTH INSURANCE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 20, chapter 4, article 3, Arizona Revised Statutes,
3 is amended by adding section 20-841.10, to read:

4 20-841.10. Cancer treatment medications; cost-sharing;
5 definition

6 A. A CONTRACT THAT IS ISSUED, DELIVERED OR RENEWED BY A CORPORATION ON
7 OR AFTER JANUARY 1, 2016 AND THAT PROVIDES COVERAGE BOTH FOR CANCER TREATMENT
8 MEDICATIONS THAT ARE INJECTED OR INTRAVENOUSLY ADMINISTERED BY A HEALTH CARE
9 PROVIDER AND FOR PATIENT-ADMINISTERED CANCER TREATMENT MEDICATIONS, INCLUDING
10 MEDICATIONS THAT ARE ORALLY ADMINISTERED OR SELF-INJECTED, MAY NOT REQUIRE A
11 HIGHER COPAYMENT, DEDUCTIBLE OR COINSURANCE AMOUNT FOR PATIENT-ADMINISTERED
12 CANCER TREATMENT MEDICATIONS THAN IS REQUIRED FOR THOSE CANCER TREATMENT
13 MEDICATIONS THAT ARE INJECTED OR INTRAVENOUSLY ADMINISTERED BY A HEALTH CARE
14 PROVIDER, REGARDLESS OF THE FORMULATION OR BENEFIT CATEGORY.

15 B. A CORPORATION MAY NOT INCREASE COPAYMENT, DEDUCTIBLE OR COINSURANCE
16 AMOUNTS FOR COVERED CANCER TREATMENT MEDICATIONS THAT ARE INJECTED OR
17 INTRAVENOUSLY ADMINISTERED IN ORDER TO AVOID COMPLIANCE WITH SUBSECTION A OF
18 THIS SECTION, BUT MAY INCREASE COPAYMENT, DEDUCTIBLE OR COINSURANCE AMOUNTS
19 FOR CANCER TREATMENT MEDICATIONS IF THE INCREASE IS APPLIED GENERALLY TO
20 OTHER MEDICAL OR PHARMACEUTICAL BENEFITS UNDER THE CONTRACT AND IS NOT DONE
21 TO CIRCUMVENT SUBSECTION A OF THIS SECTION.

22 C. A CORPORATION MAY NOT RECLASSIFY BENEFITS WITH RESPECT TO CANCER
23 TREATMENT MEDICATIONS IN A MANNER THAT IS INCONSISTENT WITH THIS SECTION.

24 D. FOR THE PURPOSES OF THIS SECTION, "CANCER TREATMENT MEDICATIONS"
25 MEANS PRESCRIPTION DRUGS AND BIOLOGICS THAT ARE USED TO KILL, SLOW OR PREVENT
26 THE GROWTH OF CANCEROUS CELLS.

27 Sec. 2. Title 20, chapter 4, article 9, Arizona Revised Statutes, is
28 amended by adding section 20-1057.14, to read:

29 20-1057.14. Cancer treatment medications; cost-sharing;
30 definition

31 A. AN EVIDENCE OF COVERAGE THAT IS ISSUED, DELIVERED OR RENEWED BY A
32 HEALTH CARE SERVICES ORGANIZATION ON OR AFTER JANUARY 1, 2016 AND THAT
33 PROVIDES COVERAGE BOTH FOR CANCER TREATMENT MEDICATIONS THAT ARE INJECTED OR
34 INTRAVENOUSLY ADMINISTERED BY A HEALTH CARE PROVIDER AND FOR
35 PATIENT-ADMINISTERED CANCER TREATMENT MEDICATIONS, INCLUDING MEDICATIONS THAT
36 ARE ORALLY ADMINISTERED OR SELF-INJECTED, MAY NOT REQUIRE A HIGHER COPAYMENT,
37 DEDUCTIBLE OR COINSURANCE AMOUNT FOR PATIENT-ADMINISTERED CANCER TREATMENT
38 MEDICATIONS THAN IS REQUIRED FOR THOSE CANCER TREATMENT MEDICATIONS THAT ARE
39 INJECTED OR INTRAVENOUSLY ADMINISTERED BY A HEALTH CARE PROVIDER, REGARDLESS
40 OF THE FORMULATION OR BENEFIT CATEGORY.

41 B. A HEALTH CARE SERVICES ORGANIZATION MAY NOT INCREASE COPAYMENT,
42 DEDUCTIBLE OR COINSURANCE AMOUNTS FOR COVERED CANCER TREATMENT MEDICATIONS
43 THAT ARE INJECTED OR INTRAVENOUSLY ADMINISTERED IN ORDER TO AVOID COMPLIANCE
44 WITH SUBSECTION A OF THIS SECTION, BUT MAY INCREASE COPAYMENT, DEDUCTIBLE OR
45 COINSURANCE AMOUNTS FOR CANCER TREATMENT MEDICATIONS IF THE INCREASE IS

1 APPLIED GENERALLY TO OTHER MEDICAL OR PHARMACEUTICAL BENEFITS UNDER THE
2 EVIDENCE OF COVERAGE AND IS NOT DONE TO CIRCUMVENT SUBSECTION A OF THIS
3 SECTION.

4 C. A HEALTH CARE SERVICES ORGANIZATION MAY NOT RECLASSIFY BENEFITS
5 WITH RESPECT TO CANCER TREATMENT MEDICATIONS IN A MANNER THAT IS INCONSISTENT
6 WITH THIS SECTION.

7 D. FOR THE PURPOSES OF THIS SECTION, "CANCER TREATMENT MEDICATIONS"
8 MEANS PRESCRIPTION DRUGS AND BIOLOGICS THAT ARE USED TO KILL, SLOW OR PREVENT
9 THE GROWTH OF CANCEROUS CELLS.

10 Sec. 3. Title 20, chapter 6, article 4, Arizona Revised Statutes, is
11 amended by adding section 20-1376.05, to read:

12 20-1376.05. Cancer treatment medications; cost-sharing;
13 definition

14 A. A DISABILITY INSURANCE POLICY THAT IS ISSUED, DELIVERED OR RENEWED
15 BY A DISABILITY INSURER ON OR AFTER JANUARY 1, 2016 AND THAT PROVIDES
16 COVERAGE BOTH FOR CANCER TREATMENT MEDICATIONS THAT ARE INJECTED OR
17 INTRAVENOUSLY ADMINISTERED BY A HEALTH CARE PROVIDER AND FOR
18 PATIENT-ADMINISTERED CANCER TREATMENT MEDICATIONS, INCLUDING MEDICATIONS THAT
19 ARE ORALLY ADMINISTERED OR SELF-INJECTED, MAY NOT REQUIRE A HIGHER COPAYMENT,
20 DEDUCTIBLE OR COINSURANCE AMOUNT FOR PATIENT-ADMINISTERED CANCER TREATMENT
21 MEDICATIONS THAN IS REQUIRED FOR THOSE CANCER TREATMENT MEDICATIONS THAT ARE
22 INJECTED OR INTRAVENOUSLY ADMINISTERED BY A HEALTH CARE PROVIDER, REGARDLESS
23 OF THE FORMULATION OR BENEFIT CATEGORY.

24 B. A DISABILITY INSURER MAY NOT INCREASE COPAYMENT, DEDUCTIBLE OR
25 COINSURANCE AMOUNTS FOR COVERED CANCER TREATMENT MEDICATIONS THAT ARE
26 INJECTED OR INTRAVENOUSLY ADMINISTERED IN ORDER TO AVOID COMPLIANCE WITH
27 SUBSECTION A OF THIS SECTION, BUT MAY INCREASE COPAYMENT, DEDUCTIBLE OR
28 COINSURANCE AMOUNTS FOR CANCER TREATMENT MEDICATIONS IF THE INCREASE IS
29 APPLIED GENERALLY TO OTHER MEDICAL OR PHARMACEUTICAL BENEFITS UNDER THE
30 POLICY AND IS NOT DONE TO CIRCUMVENT SUBSECTION A OF THIS SECTION.

31 C. A DISABILITY INSURER MAY NOT RECLASSIFY BENEFITS WITH RESPECT TO
32 CANCER TREATMENT MEDICATIONS IN A MANNER THAT IS INCONSISTENT WITH THIS
33 SECTION.

34 D. FOR THE PURPOSES OF THIS SECTION, "CANCER TREATMENT MEDICATIONS"
35 MEANS PRESCRIPTION DRUGS AND BIOLOGICS THAT ARE USED TO KILL, SLOW OR PREVENT
36 THE GROWTH OF CANCEROUS CELLS.

37 Sec. 4. Title 20, chapter 6, article 5, Arizona Revised Statutes, is
38 amended by adding section 20-1406.06, to read:

39 20-1406.06. Cancer treatment medications; cost-sharing;
40 definition

41 A. A GROUP OR BLANKET DISABILITY POLICY THAT IS ISSUED, DELIVERED OR
42 RENEWED BY A GROUP OR BLANKET DISABILITY INSURER ON OR AFTER JANUARY 1, 2016
43 AND THAT PROVIDES COVERAGE BOTH FOR CANCER TREATMENT MEDICATIONS THAT ARE
44 INJECTED OR INTRAVENOUSLY ADMINISTERED BY A HEALTH CARE PROVIDER AND FOR
45 PATIENT-ADMINISTERED CANCER TREATMENT MEDICATIONS, INCLUDING MEDICATIONS THAT

1 ARE ORALLY ADMINISTERED OR SELF-INJECTED, MAY NOT REQUIRE A HIGHER COPAYMENT,
2 DEDUCTIBLE OR COINSURANCE AMOUNT FOR PATIENT-ADMINISTERED CANCER TREATMENT
3 MEDICATIONS THAN IS REQUIRED FOR THOSE CANCER TREATMENT MEDICATIONS THAT ARE
4 INJECTED OR INTRAVENOUSLY ADMINISTERED BY A HEALTH CARE PROVIDER, REGARDLESS
5 OF THE FORMULATION OR BENEFIT CATEGORY.

6 B. A GROUP OR BLANKET DISABILITY INSURER MAY NOT INCREASE COPAYMENT,
7 DEDUCTIBLE OR COINSURANCE AMOUNTS FOR COVERED CANCER TREATMENT MEDICATIONS
8 THAT ARE INJECTED OR INTRAVENOUSLY ADMINISTERED IN ORDER TO AVOID COMPLIANCE
9 WITH SUBSECTION A OF THIS SECTION, BUT MAY INCREASE COPAYMENT, DEDUCTIBLE OR
10 COINSURANCE AMOUNTS FOR CANCER TREATMENT MEDICATIONS IF THE INCREASE IS
11 APPLIED GENERALLY TO OTHER MEDICAL OR PHARMACEUTICAL BENEFITS UNDER THE
12 POLICY AND IS NOT DONE TO CIRCUMVENT SUBSECTION A OF THIS SECTION.

13 C. A GROUP OR BLANKET DISABILITY INSURER MAY NOT RECLASSIFY BENEFITS
14 WITH RESPECT TO CANCER TREATMENT MEDICATIONS IN A MANNER THAT IS INCONSISTENT
15 WITH THIS SECTION.

16 D. FOR THE PURPOSES OF THIS SECTION, "CANCER TREATMENT MEDICATIONS"
17 MEANS PRESCRIPTION DRUGS AND BIOLOGICS THAT ARE USED TO KILL, SLOW OR PREVENT
18 THE GROWTH OF CANCEROUS CELLS.

19 Sec. 5. Short title

20 This act may be cited as the "Fair Access to Cancer Treatment Act".

APPROVED BY THE GOVERNOR APRIL 30, 2014.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 30, 2014.

Passed the House March 6, 2014

by the following vote: 57 Ayes,

0 Nays, 3 Not Voting

[Signature]
Speaker of the House

[Signature]
Chief Clerk of the House

Passed the Senate April 23, 2014

by the following vote: 28 Ayes,

0 Nays, 2 Not Voting

[Signature]
President of the Senate

[Signature]
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

 day of , 20

at o'clock M.

Secretary to the Governor

Approved this day of

at o'clock M.

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this day of , 20

at o'clock M.

Secretary of State

H.B. 2078

HOUSE CONCURS IN SENATE
AMENDMENTS AND FINAL PASSAGE

April 23, 2014,

by the following vote: 53 Ayes,

0 Nays, 7 Not Voting

[Signature]
Speaker of the House

[Signature]
Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

24 day of April, 2014,

at 9:48 o'clock A M.

[Signature]
Secretary to the Governor

Approved this 30th day of

April, 2014,

at 11:14 o'clock A. M.

[Signature]
Governor of Arizona

H.B. 2078

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 30th day of April, 2014,

at 4:21 o'clock P M.

[Signature]
Secretary of State