

ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 493

AMENDMENT NO. A5
(to be filled in by
Principal Clerk)

S493-ATK-142 [v.3]

Page 1 of 2

Comm. Sub. [NO]
Amends Title [NO]
Fifth Edition

Date _____, 2014

Representative Lewis

1 moves to amend the bill on page 14, lines 24-25, by inserting the following between the lines:

2
3 **"NORTH CAROLINA CANCER TREATMENT FAIRNESS ACT**

4 **SECTION 14.2.(a)** Article 3 of Chapter 58 of the General Statutes is amended by
5 adding a new section to read as follows:

6 **"§ 58-3-282. Coverage for orally administered anticancer drugs.**

7 (a) Every health benefit plan offered by an insurer, as defined in G.S. 58-3-167(a), that
8 provides coverage for prescribed, orally administered anticancer drugs that are used to kill or
9 slow the growth of cancerous cells and that provides coverage for intravenously administered
10 or injected anticancer drugs shall provide coverage for prescribed, orally administered
11 anticancer drugs on a basis no less favorable than the coverage the policy, contract, or plan
12 provides for the intravenously administered or injected anticancer drugs.

13 (b) Coverage for orally administered anticancer drugs shall not be subject to any prior
14 authorization, dollar limit, co-payment, coinsurance, or deductible provision or to any other
15 out-of-pocket expense that does not apply to intravenously administered or injected anticancer
16 drugs.

17 (c) A policy, contract, or plan provider shall not achieve compliance with this section
18 by reclassifying anticancer drugs or by increasing patient cost-sharing, including any
19 coinsurance, co-payment, deductible, or other out-of-pocket expenses imposed on anticancer
20 drugs. Any policy, contract, or plan change that otherwise increases an out-of-pocket expense
21 applied to anticancer drugs must also be applied to the majority of comparable medical or
22 pharmaceutical benefits covered by the policy, contract, or plan.

23 (d) An insurer that limits the total amount paid by a covered person through all
24 in-network, cost-sharing requirements to no more than one hundred dollars (\$100) per filled
25 prescription for any orally administered anticancer drug shall be considered in compliance with
26 this section. For purposes of this subsection, "cost-sharing requirements" shall include
27 co-payments, coinsurance, and deductibles, except in regard to a high deductible health plan or
28 policy that is qualified to be used in conjunction with a health savings account, a medical
29 savings account, or other similar program authorized by 26 U.S.C. 220 et seq."

30 **SECTION 14.2.(b)** This section becomes effective January 1, 2015, and applies to
31 insurance contracts or policies issued, renewed, or amended on or after that date, but the section
32 shall not become effective if the section is determined by the federal government to create a



* S 4 9 3 - A T K - 1 4 2 - V - 3 *

NORTH CAROLINA GENERAL ASSEMBLY

AMENDMENT

Senate Bill 493

ADOPTED

AMENDMENT NO. A5

(to be filled in by
Principal Clerk)

S493-ATK-142 [v.3]

Page 2 of 2

1 state-required benefit that is in excess of the essential health benefits pursuant to 45 C.F.R.
2 155.170(a)(3)."

3
4
5

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

**The official copy of this document, with signatures
and vote information, is available in the
House Principal Clerk's Office**