

2020 Regular Session

HOUSE BILL NO. 408

BY REPRESENTATIVE LACOMBE

INSURANCE/HEALTH: Provides for health insurance coverage of cancer treatments

1 AN ACT

2 To enact R.S. 22:1054.1, relative to health insurance coverage for cancer treatments; to  
3 prohibit denial of coverage in certain circumstances; to require coverage of  
4 prescription drugs that target a specific mutation for a minimum initial period; to  
5 require a physician's certification for continued coverage; to provide for an effective  
6 date; and to provide for related matters.

7 Be it enacted by the Legislature of Louisiana:

8 Section 1. R.S. 22:1054.1 is hereby enacted to read as follows:

9 §1054.1. Requirement for coverage of cancer treatment targeting a specific genetic  
10 mutation

11 A. No health coverage plan delivered or issued for delivery in this state shall  
12 deny coverage for a medically necessary drug prescribed by a physician on the sole  
13 basis that the drug is not indicated for the location in the body of the patient's cancer  
14 if the drug is approved by the United States Food and Drug Administration for the  
15 treatment of the specific mutation of the patient's cancer.

16 B.(1) Any health coverage plan delivered or issued for delivery in this state  
17 shall include coverage for a minimum initial treatment period of not less than three  
18 months for a medically necessary drug prescribed by a physician that is not indicated  
19 for the location in the body of the patient's cancer if the drug is approved by the

1 United States Food and Drug Administration for the treatment of the specific  
2 mutation of the patient's cancer.

3 (2) The health coverage plan shall continue to provide coverage of the  
4 prescribed drug after the initial treatment period provided for in Paragraph (1) of this  
5 Subsection if the treating physician certifies that the prescribed drug is necessary for  
6 the treatment of the patient's cancer.

7 C. For purposes of this Section, "health coverage plan" means any hospital,  
8 health, or medical expense insurance policy, hospital or medical service contract,  
9 employee welfare benefit plan, contract, or other agreement with a health  
10 maintenance organization or a preferred provider organization, health and accident  
11 insurance policy, or any other insurance contract of this type in this state, including  
12 a group insurance plan, a self-insurance plan, and the Office of Group Benefits  
13 programs. "Health coverage plan" shall not include a plan providing coverage for  
14 excepted benefits as defined in R.S. 22:1061, limited benefit health insurance plans,  
15 and short-term policies that have a term of less than twelve months.

16 Section 2. This Act shall become effective upon signature by the governor or, if not  
17 signed by the governor, upon expiration of the time for bills to become law without signature  
18 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If  
19 vetoed by the governor and subsequently approved by the legislature, this Act shall become  
20 effective on the day following such approval.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 408 Original

2020 Regular Session

LaCombe

**Abstract:** Requires insurance coverage for a drug that is not indicated for the bodily location of a patient's cancer if the drug is approved by the FDA for the treatment of the specific mutation of the patient's cancer.

Proposed law prohibits a health coverage plan delivered or issued for delivery in this state from denying coverage for a medically necessary drug prescribed by a physician on the sole basis that the drug is not indicated for the location in the body of the patient's cancer if the drug is approved by the United States Food and Drug Administration (FDA) for the treatment of the specific mutation of the patient's cancer.

Proposed law requires any health coverage plan delivered or issued for delivery in this state to include coverage for a minimum initial treatment period of at least three months for a medically necessary drug prescribed by a physician that is not indicated for the location in the body of the patient's cancer if the drug is approved by the FDA for the treatment of the specific mutation of the patient's cancer.

Proposed law requires the health coverage plan to continue to provide coverage of the prescribed drug after the initial treatment period if the treating physician certifies that the prescribed drug is necessary for the treatment of the patient's cancer.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Adds R.S. 22:1054.1)