

HOUSE COMMITTEE AMENDMENTS

2020 Regular Session

Amendments proposed by House Committee on Insurance to Engrossed Senate Bill No. 204 by Senator Talbot

1 AMENDMENT NO. 1

2 On page 1, delete line 2 in its entirety and insert "To amend and reenact R.S. 22:1044(E)(2)
3 and to enact R.S. 22:1054.1, relative to health insurance coverage for cancer treatments; to
4 provide relative to participation in a clinical trial; to require health insurance coverage for
5 a treatment provided or study conducted in a Phase I clinical trial for cancer; to"

6 AMENDMENT NO. 2

7 On page 1, line 5, after "coverage;" insert "to provide for applicability;"

8 AMENDMENT NO. 3

9 On page 1, line 8, after "Section 1." delete the remainder of the line and insert:

10 "R.S. 22:1044(E)(2) is hereby amended and reenacted and R.S. 22:1054.1 is hereby
11 enacted to read as follows:

12 §1044. Health coverage; participants in clinical trials

13 * * *

14 E. Costs of investigational treatments and costs of associated
15 protocol-related patient care shall be covered if all of the following criteria are met:

16 * * *

17 (2)(a) The treatment is being provided or the studies are being conducted in
18 a Phase I, Phase II, Phase III, or Phase IV clinical trial for cancer.

19 **(b) Nothing in this Section shall require a health insurance issuer**
20 **offering any health insurance coverage to provide coverage for the following:**

- 21 **(i) Non-healthcare services provided as part of the clinical trial.**
- 22 **(ii) Costs for managing research data associated with the clinical trial.**
- 23 **(iii) Investigational drugs, devices, items, or services associated with the**
24 **clinical trial.**

25 * * *"

26 AMENDMENT NO. 4

27 On page 1, delete line 12 in its entirety and insert "**shall deny coverage for the treatment**
28 **of metastatic or unresectable tumors with a medically necessary drug prescribed by a**
29 **physician**"

30 AMENDMENT NO. 5

31 On page 1, at the end of line 16, insert "**Such coverage may be denied if an alternative**
32 **treatment has proven to be more effective in published randomized clinical trials and**
33 **is not contraindicated in the patient.**"

1 AMENDMENT NO. 6

2 On page 2, at the beginning of line 9, insert "**medically**" and after "**cancer**" and before the
3 period ":" insert "**based on documented improvement of the patient**"

4 AMENDMENT NO. 7

5 On page 2, line 20, after "Section 2." delete the remainder of the line and delete lines 21
6 through 24 in their entirety and insert:

7 "(A) This Act shall become effective on January 1, 2021.

8

9 (B) This Act shall apply to any new policy, contract, program, or health coverage
10 plan issued on and after January 1, 2021. Any policy, contract, or health coverage plan in
11 effect prior to January 1, 2021, shall convert to conform to the provisions of this Act on or
12 before the renewal date, but no later than January 1, 2022."