RÉSUMÉ DIGEST

ACT 222 (SB 204) **2020 Regular Session** **Talbot**

Prior law required a health insurance issuer to provide coverage for the costs of investigational treatments and associated protocol-related patient care if treatment is provided or a study is conducted in a Phase II, Phase III, or Phase IV clinical trial for cancer.

New law retains prior law and extends coverage to a treatment provided or study conducted in a Phase I clinical trial for cancer.

New law does not require a health insurance issuer to provide coverage for the following:

(1) Non-healthcare services provided as part of the clinical trial.

(2) Costs for managing research data associated with the clinical trial.

(3) Investigational drugs, devices, items, or services associated with the clinical trial.

New law prohibits a health coverage plan delivered or issued for delivery in this state from denying coverage for the treatment of metastatic or unresectable tumors with 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.

New law further provides that coverage may be denied if an alternative treatment has proven to be more effective in published randomized clinical trials and is not contraindicated in the patient.

New 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.

New 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 medically necessary for the treatment of the patient's cancer, based on documented improvement of the patient.

Effective January 1, 2021.

(Amends R.S. 22:1044(E)(2); adds R.S. 22:1054.1)