

2022 Regular Session

SENATE BILL NO. 146

BY SENATOR TALBOT

HEALTH/ACC INSURANCE. Provides for health insurance coverage of cancer treatments.
(8/1/22)

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AN ACT

To amend and reenact R.S. 22:1054.1(A), relative to insurance coverage for cancer treatments; to prohibit denial of coverage in certain circumstances; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 22:1054.1(A) is hereby amended and reenacted to read as follows:

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

A. No health coverage plan delivered or issued for delivery in this state shall deny coverage for the treatment of metastatic or unresectable tumors **or other advanced cancers** with a medically necessary drug prescribed by a physician on the ~~sole~~ basis that the drug is not indicated for the **specific tumor type or** location in the body of the patient's cancer if the drug is approved by the United States Food and Drug Administration for the treatment of the specific mutation ~~of the patient's~~ **in a different type of** cancer. **Insurers may not deem the treatment experimental or outside of their policy scope.** Such **This** coverage may be denied **only** if an alternative treatment has proven to be more effective in published randomized

1 clinical trials and is not contraindicated in the patient.

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Thomas L. Tyler.

SB 146 Original DIGEST 2022 Regular Session Talbot

Present law prohibits denial of health insurance 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 Food and Drug Administration for the treatment of the specific mutation of the patient's cancer. 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.

Proposed law retains the present prohibition but applies it to the treatment of other advanced cancers and that the prohibition cannot be the basis that the drug is not indicated for the specific tumor type. Provides that the insurer may not deem the treatment experimental or outside of their policy scope. Provides that coverage may only be denied if an alternative treatment has proven to be more effective in published randomized clinical trials and is not contraindicated in the patient.

Effective on August 1, 2022.

(Amends R.S. 22:1054.1(A))