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DIGEST

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SB 146 Engrossed

2022 Regular Session

Talbot

Present law prohibits a health coverage plan from denying coverage for the treatment of metastatic or unresectable tumors with a medically necessary drug prescribed by a physician on the 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 U.S. Food and Drug Administration (FDA) 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 such treatment is not contraindicated in the patient. Proposed law retains the present law prohibition but applies it to the treatment of other advanced cancers.

Proposed law prohibits denial of coverage on the basis that the medically necessary drug is not indicated for a specific tumor type. Further prohibits an insurer from considering the treatment as experimental or outside of its policy scope if the FDA has approved the drug for the treatment of cancer with the specific genetic mutation, even if the treatment is for a different type of tumor.

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

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Insurance to the original bill

1. Makes technical changes.
2. Adds that an insurer cannot consider the treatment experimental or outside their policy scope if the United States Food and Drug Administration has approved the drug for cancer treatment with the specific genetic mutation, even if in a different tumor type.

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Insurance to the engrossed bill:

1. Change "may" to "shall" to reflect the intentions of proposed law.