

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

SECOND SESSION

LEGISLATIVE BILL 882

Introduced by Nordquist, 7; Howard, 9; Wallman, 30.

Read first time January 09, 2012

Committee: Banking, Commerce and Insurance

A BILL

1 FOR AN ACT relating to insurance; to require certain cancer treatment

2 coverage as prescribed.

3 Be it enacted by the people of the State of Nebraska,

1 Section 1. (1) Notwithstanding section 44-3,131, (a) any
2 individual or group sickness and accident insurance policy,
3 certificate, or subscriber contract delivered, issued for delivery,
4 or renewed in this state and any hospital, medical, or surgical
5 expense-incurred policy, except for policies that provide coverage
6 for a specified disease or other limited-benefit coverage, and (b)
7 any self-funded employee benefit plan to the extent not preempted by
8 federal law that provides coverage for cancer treatment shall provide
9 coverage for a prescribed, orally administered anticancer medication
10 that is used to kill or slow the growth of cancerous cells on a basis
11 no less favorable than intravenously administered or injected cancer
12 medications that are covered as medical benefits by the policy,
13 certificate, contract, or plan.

14 (2) This section does not prohibit such policy,
15 certificate, contract, or plan from requiring prior authorization for
16 a prescribed, orally administered anticancer medication. If such
17 medication is authorized, the cost to the covered individual shall
18 not exceed the coinsurance or copayment that would be applied to any
19 other cancer treatment.

20 (3) A policy, certificate, contract, or plan provider
21 shall not reclassify any anticancer medication or increase a
22 coinsurance, copayment, deductible, or other out-of-pocket expense
23 imposed on any anticancer medication to achieve compliance with this
24 section. Any change that otherwise increases an out-of-pocket expense
25 applied to any anticancer medication shall also be applied to the

1 majority of comparable medical or pharmaceutical benefits under the
2 policy, certificate, contract, or plan.

3 (4) This section does not prohibit a policy, certificate,
4 contract, or plan provider from increasing cost-sharing for all
5 benefits, including cancer treatments.

6 (5) This section shall apply to any policy, certificate,
7 contract, or plan that is delivered, issued for delivery, or renewed
8 in this state on or after the effective date of this act.