
A BILL FOR AN ACT

RELATING TO HEALTH.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 431:10A-126, Hawaii Revised Statutes,
2 is amended to read as follows:
3 "~~§~~**431:10A-126** **Chemotherapy services.** (a)
4 Notwithstanding section 23-51, all individual and group accident
5 and health or sickness insurance policies that include coverage
6 or benefits for the treatment of cancer shall provide payment or
7 reimbursement for all chemotherapy that is considered medically
8 necessary as defined in section 432E-1.4, including orally
9 administered chemotherapy, at the same or lower copayment
10 percentage or relative coinsurance amount as is applied to
11 intravenously administered chemotherapy; and shall apply equally
12 to generic and nongeneric medications; provided that this
13 section shall not apply to an accident only, specified disease,
14 hospital indemnity, long-term care, or other limited benefit
15 health insurance policy. Individual and group accident and
16 health or sickness insurance policies shall not provide for an
17 increase in enrollee cost sharing for nongeneric cancer
18 medications to any greater extent than the policy provides for



1 an increase in enrollee cost sharing for other nongeneric
2 covered medication.

3 (b) For the purposes of this section:

4 "Cost share" means copayment, coinsurance, or deductible
5 provisions applicable to coverage for oral, intravenous, or
6 injected nongeneric cancer medications.

7 "Intravenously administered chemotherapy" means a
8 physician-prescribed cancer treatment that is administered
9 through injection directly into the patient's circulatory system
10 by a physician, physician assistant, nurse practitioner, nurse,
11 or other medical personnel under the supervision of a physician
12 and in a hospital, medical office, or other clinical setting.

13 "Oral chemotherapy" means a United States Food and Drug
14 Administration-approved, physician-prescribed cancer treatment
15 that is taken orally in the form of a tablet or capsule and may
16 be administered in a hospital, medical office, or other clinical
17 setting or may be delivered to the patient for self-
18 administration under the direction or supervision of a physician
19 outside of a hospital, medical office, or other clinical
20 setting."

21 SECTION 2. Section 432:1-616, Hawaii Revised Statutes, is
22 amended to read as follows:



1 " ~~[+]~~§432:1-616~~[+]~~ **Chemotherapy services.** (a) All
2 individual and group hospital and medical service plan contracts
3 that include coverage or benefits for the treatment of cancer
4 shall provide payment or reimbursement for all chemotherapy that
5 is considered medically necessary as defined in section
6 432E-1.4, including orally administered chemotherapy, at the
7 same or lower copayment percentage or relative coinsurance
8 amount as is applied to intravenously administered chemotherapy;
9 and shall apply equally to generic and nongeneric medications;
10 provided that this section shall not apply to an accident only,
11 specified disease, hospital indemnity, long-term care, or other
12 limited benefit health insurance policy. Individual and group
13 hospital and medical service plan contracts shall not provide
14 for an increase in enrollee cost sharing for nongeneric cancer
15 medications to any greater extent than the contract provides for
16 an increase in enrollee cost sharing for other nongeneric
17 covered medication.

18 (b) For the purposes of this section:
19 "Cost share" means copayment, coinsurance, or deductible
20 provisions applicable to coverage for oral, intravenous, or
21 injected nongeneric cancer medications.

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2 physician-prescribed cancer treatment that is administered
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5 or other medical personnel under the supervision of a physician
6 and in a hospital, medical office, or other clinical setting.

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8 Administration-approved, physician-prescribed cancer treatment
9 that is taken orally in the form of a tablet or capsule and may
10 be administered in a hospital, medical office, or other clinical
11 setting or may be delivered to the patient for self-
12 administration under the direction or supervision of a physician
13 outside of a hospital, medical office, or other clinical
14 setting."

15 SECTION 3. Statutory material to be repealed is bracketed
16 and stricken. New statutory material is underscored.

17 SECTION 4. This Act shall take effect upon its approval.



Report Title:

Insurance; Chemotherapy

Description:

Requires health plans that provide coverage for cancer chemotherapy treatment to establish limits on out-of-pocket costs for cancer medications, including generic and nongeneric oral chemotherapy. (SD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

