

CERTIFICATION OF ENROLLMENT

ENGROSSED HOUSE BILL 1517

Chapter 159, Laws of 2011

62nd Legislature
2011 Regular Session

INSURANCE COVERAGE--SELF-ADMINISTERED ANTICANCER MEDICATION

EFFECTIVE DATE: 07/22/11

Passed by the House April 13, 2011
Yeas 79 Nays 17

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 6, 2011
Yeas 43 Nays 2

BRAD OWEN

President of the Senate

Approved April 22, 2011, 2:09 p.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED HOUSE BILL 1517** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BARBARA BAKER

Chief Clerk

FILED

April 22, 2011

**Secretary of State
State of Washington**

ENGROSSED HOUSE BILL 1517

AS AMENDED BY THE SENATE

Passed Legislature - 2011 Regular Session

State of Washington 62nd Legislature 2011 Regular Session

By Representatives Jenkins, Hinkle, Green, Harris, and Stanford

Read first time 01/25/11. Referred to Committee on Health Care & Wellness.

1 AN ACT Relating to requiring comparable coverage for patients who
2 require orally administered anticancer medication; adding a new section
3 to chapter 41.05 RCW; adding a new section to chapter 48.20 RCW; adding
4 a new section to chapter 48.21 RCW; adding a new section to chapter
5 48.44 RCW; adding a new section to chapter 48.46 RCW; and creating new
6 sections.

7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

8 NEW SECTION. **Sec. 1.** The Washington state legislature finds that
9 for cancer patients, there is an inequity in how much they have to pay
10 toward the cost of a self-administered oral medication and how much
11 they have to pay for an intravenous product that is administered in a
12 physician's office or clinic. The legislature further finds that when
13 these inequities exist, patients' access to medically necessary,
14 appropriate treatment is often unfairly restricted. The legislature
15 also acknowledges that self-administered chemotherapy is the only
16 treatment for some types of cancer where there is no intravenous
17 alternative. The legislature declares that in order to reduce the out-
18 of-pocket costs for cancer patients whose diagnosis requires treatment
19 through self-administered anticancer medication, the cost-sharing

1 responsibilities for these patients must be on a basis at least
2 comparable to those of patients receiving intravenously administered
3 anticancer medication.

4 NEW SECTION. **Sec. 2.** A new section is added to chapter 41.05 RCW
5 to read as follows:

6 (1) Each health plan offered to public employees and their covered
7 dependents under this chapter, including those subject to the provision
8 of Title 48 RCW, and is issued or renewed beginning January 1, 2012,
9 and provides coverage for cancer chemotherapy treatment must provide
10 coverage for prescribed, self-administered anticancer medication that
11 is used to kill or slow the growth of cancerous cells on a basis at
12 least comparable to cancer chemotherapy medications administered by a
13 health care provider or facility as defined in RCW 48.43.005 (15) and
14 (16).

15 (2) Nothing in this section may be interpreted to prohibit a health
16 plan from administering a formulary or preferred drug list, requiring
17 prior authorization, or imposing other appropriate utilization controls
18 in approving coverage for any chemotherapy.

19 NEW SECTION. **Sec. 3.** A new section is added to chapter 48.20 RCW
20 to read as follows:

21 (1) Each health plan issued or renewed on or after January 1, 2012,
22 that provides coverage for cancer chemotherapy treatment must provide
23 coverage for prescribed, self-administered anticancer medication that
24 is used to kill or slow the growth of cancerous cells on a basis at
25 least comparable to cancer chemotherapy medications administered by a
26 health care provider or facility as defined in RCW 48.43.005 (15) and
27 (16).

28 (2) Nothing in this section may be interpreted to prohibit a health
29 plan from administering a formulary or preferred drug list, requiring
30 prior authorization, or imposing other appropriate utilization controls
31 in approving coverage for any chemotherapy.

32 NEW SECTION. **Sec. 4.** A new section is added to chapter 48.21 RCW
33 to read as follows:

34 (1) Each health plan issued or renewed on or after January 1, 2012,
35 that provides coverage for cancer chemotherapy treatment must provide

1 coverage for prescribed, self-administered anticancer medication that
2 is used to kill or slow the growth of cancerous cells on a basis at
3 least comparable to cancer chemotherapy medications administered by a
4 health care provider or facility as defined in RCW 48.43.005 (15) and
5 (16).

6 (2) Nothing in this section may be interpreted to prohibit a health
7 plan from administering a formulary or preferred drug list, requiring
8 prior authorization, or imposing other appropriate utilization controls
9 in approving coverage for any chemotherapy.

10 NEW SECTION. **Sec. 5.** A new section is added to chapter 48.44 RCW
11 to read as follows:

12 (1) Each health plan issued or renewed on or after January 1, 2012,
13 that provides coverage for cancer chemotherapy treatment must provide
14 coverage for prescribed, self-administered anticancer medication that
15 is used to kill or slow the growth of cancerous cells on a basis at
16 least comparable to cancer chemotherapy medications administered by a
17 health care provider or facility as defined in RCW 48.43.005 (15) and
18 (16).

19 (2) Nothing in this section may be interpreted to prohibit a health
20 plan from administering a formulary or preferred drug list, requiring
21 prior authorization, or imposing other appropriate utilization controls
22 in approving coverage for any chemotherapy.

23 NEW SECTION. **Sec. 6.** A new section is added to chapter 48.46 RCW
24 to read as follows:

25 (1) Each health plan issued or renewed on or after January 1, 2012,
26 that provides coverage for cancer chemotherapy treatment must provide
27 coverage for prescribed, self-administered anticancer medication that
28 is used to kill or slow the growth of cancerous cells on a basis at
29 least comparable to cancer chemotherapy medications administered by a
30 health care provider or facility as defined in RCW 48.43.005 (15) and
31 (16).

32 (2) Nothing in this section may be interpreted to prohibit a health
33 plan from administering a formulary or preferred drug list, requiring
34 prior authorization, or imposing other appropriate utilization controls
35 in approving coverage for any chemotherapy.

1 NEW_SECTION. **Sec. 7.** Each health plan offering individual or
2 small group products that provides coverage for prescribed, self-
3 administered anticancer medication as required under this act must
4 report to the health committees of the legislature by November 1, 2013,
5 with a summary of their cost experience.

 Passed by the House April 13, 2011.

 Passed by the Senate April 6, 2011.

 Approved by the Governor April 22, 2011.

 Filed in Office of Secretary of State April 22, 2011.