

Introduced by

Representative Maragos

1 A BILL for an Act to create and enact a new section to chapter 54-52.1 of the North Dakota  
2 Century Code, relating to insurance coverage of cancer treatment medications; to require a  
3 report regarding coverage of cancer treatment medications; and to provide an expiration date.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new section to chapter 54-52.1 of the North Dakota Century Code is created  
6 and enacted as follows:

7 **Coverage of cancer treatment medications.**

8 1. As used in this section:

9 a. "Cancer treatment medications" means prescription drugs and biologics that are  
10 used to kill, slow, or prevent the growth of cancerous cells.

11 b. "Patient-administered" includes oral administration and self-injection.

12 d. "Policy" means a medical benefits coverage under a contract for insurance  
13 pursuant to section 54-52.1-04 or under a self-insurance plan pursuant to section  
14 54-52.1-04.2.

15 2. For all policies that become effective after June 30, 2015, and which do not extend  
16 past June 30, 2017, the board shall provide medical benefits coverage under a policy  
17 that provides the copayment, deductible, and coinsurance amounts for  
18 patient-administered cancer treatment medications do not exceed the amounts for  
19 cancer treatment medications that are injected or are intravenously administered by a  
20 health care provider, regardless of the formulation or benefit category.

21 3. The policy may not increase a copayment, deductible, or coinsurance amount for  
22 covered cancer treatment medications that are injected or intravenously administered  
23 in order to avoid compliance with subsection 2. The policy may provide for an increase  
24 in a copayment, deductible, and coinsurance amount for covered cancer treatment

1           medications if the increase is applied generally to other medical or pharmaceutical  
2           benefits under the policy and is not done to circumvent subsection 2. The policy may  
3           not reclassify benefits with respect to cancer treatment medications in a manner that is  
4           inconsistent with this section.

5           **SECTION 2. PUBLIC EMPLOYEES RETIREMENT SYSTEM - COVERAGE OF CANCER**

6 **TREATMENT MEDICATIONS.** Pursuant to section 54-03-28, the public employees retirement  
7 system shall prepare and submit for introduction a bill to the sixty-fifth legislative assembly to  
8 repeal the expiration date for section 1 of this Act and to extend the coverage of cancer  
9 treatment medications to apply to all group and individual health insurance policies. The public  
10 employees retirement system shall append to the bill a report regarding the effect of the cancer  
11 treatment medication coverage requirement on the system's health insurance programs,  
12 information on the utilization and costs relating to the coverage, and a recommendation  
13 regarding whether the coverage should continue.

14           **SECTION 3. EXPIRATION DATE.** Section 1 of this Act is effective through July 31, 2017,  
15 and after that date is ineffective.