

**HOUSE BILL NO. 1072**

Introduced by

Representatives Maragos, Delmore, Beadle, Dockter

Senator Dever

1 A BILL for an Act to create and enact a new section to chapter 26.1-36; a new section to chapter  
2 54-52.1 of the North Dakota Century Code, relating to insurance coverage of cancer treatment  
3 medications; and to provide for application.

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

5 **SECTION 1.** A new section to chapter 26.1-36 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. "Insurer" means an insurance company, nonprofit health service corporation, or  
12 health maintenance organization.

13 c. "Patient-administered" includes oral administration and self-injection.

14 d. "Policy" means an accident and health insurance policy, contract, or evidence of  
15 coverage on a group, individual, blanket, franchise, or association basis.

16 2. An insurer may not deliver, issue, execute, or renew a policy that provides coverage  
17 for cancer treatment medications that are injected or are intravenously administered  
18 by a health care provider and that provides coverage for patient-administered cancer  
19 treatment medications unless ~~the~~:

20 a. ~~The~~ policy copayment, deductible, and coinsurance amounts for  
21 patient-administered cancer treatment medications do not exceed the amounts  
22 for cancer treatment medications that are injected or are intravenously  
23 administered by a health care provider, regardless of the formulation or benefit  
24 category; or

1        b. The policy copayment, deductible, and coinsurance amounts for a month's supply  
2        of a patient-administered cancer treatment medication do not exceed one  
3        hundred dollars per filled prescription.

4        3. An insurer may not increase a copayment, deductible, or coinsurance amount for  
5        covered cancer treatment medications that are injected or intravenously administered  
6        in order to avoid compliance with subsection 2. An insurer may not reclassify benefits  
7        with respect to cancer treatment medications in a manner that is inconsistent with this  
8        section.

9        **SECTION 2.** A new section to chapter 54-52.1 of the North Dakota Century Code is created  
10      and enacted as follows:

11      **Coverage of cancer treatment medications.**

12      The board shall provide medical benefits coverage under a contract for insurance pursuant  
13      to section 54-52.1-04 or under a self-insurance plan pursuant to section 54-52.1-04.2 which  
14      provides coverage of cancer treatment medications in the same manner as provided under  
15      section 1 of this Act.

16      **SECTION 3. APPLICATION.** This Act is not subject to section 54-03-28, and therefore is  
17      not required to be accompanied by a cost-benefit analysis; is not limited in application to the  
18      public employees retirement system's health insurance programs; does not require that during  
19      the 2015-16 interim the public employees retirement system study the effect of the cancer  
20      treatment medication coverage requirements; and does not expire in two years.