Sixty-fourth
Legislative Assembly
of North Dakota

HOUSE BILL NO. 1072

Introduced by

Representatives Maragos, Delmore, Beadle, Dockter

Senator Dever

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

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. A new section to chapter 26.1-36 of the North Dakota Century Code is created and enacted as follows:

Coverage of cancer treatment medications.

1. As used in this section:
   a. "Cancer treatment medications" means prescription drugs and biologics that are used to kill, slow, or prevent the growth of cancerous cells.
   b. "Insurer" means an insurance company, nonprofit health service corporation, or health maintenance organization.
   c. "Patient-administered" includes oral administration and self-injection.
   d. "Policy" means an accident and health insurance policy, contract, or evidence of coverage on a group, individual, blanket, franchise, or association basis.
2. An insurer may not deliver, issue, execute, or renew a policy that provides coverage for cancer treatment medications that are injected or are intravenously administered by a health care provider and that provides coverage for patient-administered cancer treatment medications unless the policy copayment, deductible, and coinsurance amounts for patient-administered cancer treatment medications do not exceed the amounts for cancer treatment medications that are injected or are intravenously administered by a health care provider, regardless of the formulation or benefit category.

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

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

Coverage of cancer treatment medications.

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

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