



Sen. Denny Jacobs

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09300SB2339sam001

LRB093 17610 WGH 48877 a

1 AMENDMENT TO SENATE BILL 2339

2 AMENDMENT NO. _____. Amend Senate Bill 2339 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Insurance Code is amended by
5 adding Section 364.01 as follows:

6 (215 ILCS 5/364.01 new)

7 Sec. 364.01. Qualified cancer trials.

8 (a) No individual or group policy of accident and health
9 insurance issued or renewed in this State on or after the
10 effective date of this amendatory Act of the 93rd General
11 Assembly may be cancelled or non-renewed for any individual
12 based on that individual's participation in a qualified cancer
13 trial.

14 (b) Qualified cancer trials must meet the following
15 criteria:

16 (1) the effectiveness of the treatment has not been
17 determined relative to established therapies;

18 (2) the trial is under clinical investigation as part
19 of an approved cancer research trial in Phase II, Phase
20 III, or Phase IV of investigation;

21 (3) the trial is approved by the U.S. Secretary of
22 Health and Human Services, the Director of the National
23 Institutes of Health, the Commissioner of the Food and Drug
24 Administration (through an investigational new drug

1 exemption under Section 505(l) of the federal Food, Drug,
2 and Cosmetic Act or an investigational device exemption
3 under Section 520(g) of that Act), or a qualified
4 nongovernmental cancer research entity as defined in
5 guidelines of the National Institutes of Health or a peer
6 reviewed and approved cancer research program, as defined
7 by the U.S. Secretary of Health and Human Services,
8 conducted for the primary purpose of determining whether or
9 not a cancer treatment is safe or efficacious or has any
10 other characteristic of a cancer treatment that must be
11 demonstrated in order for the cancer treatment to be
12 medically necessary or appropriate;

13 (4) the trial is being conducted at multiple sites
14 throughout the State;

15 (5) the patient's primary care physician, if any, is
16 involved in the coordination of care; and

17 (6) the results of the investigational trial will be
18 submitted for publication in peer-reviewed scientific
19 studies, research, or literature published in or accepted
20 for publication by medical journals that meet nationally
21 recognized requirements for scientific manuscripts and
22 that submit most of their published articles for review by
23 experts who are not part of the editorial staff. These
24 studies may include those conducted by or under the
25 auspices of the federal government's Agency for Health Care
26 Policy and Research, National Institutes of Health,
27 National Cancer Institute, National Academy of Sciences,
28 Health Care Financing Administration, and any national
29 board recognized by the National Institutes of Health for
30 the purpose of evaluating the medical value of health
31 services."