



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB1683

Introduced 2/19/2009, by Sen. Deanna Demuzio

SYNOPSIS AS INTRODUCED:

5 ILCS 375/6.4	from Ch. 127, par. 526.4
215 ILCS 5/356z.7	was 215 ILCS 5/370r
215 ILCS 125/4-6.3	

Amends the State Employees Group Insurance Act of 1971, Illinois Insurance Code, and Health Maintenance Organization Act to set forth certain reference compendia and other authoritative compendia, as identified by the Federal Secretary of Health and Human Services or the insurance commissioner, in which a drug must be recognized for the treatment of the specific type of cancer for which the drug has been prescribed. Effective immediately.

LRB096 09562 RPM 19723 b

1 AN ACT concerning insurance.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The State Employees Group Insurance Act of 1971
5 is amended by changing Section 6.4 as follows:

6 (5 ILCS 375/6.4) (from Ch. 127, par. 526.4)

7 Sec. 6.4. Prescription drugs; cancer treatment. If the
8 program of health benefits provides coverage for prescribed
9 drugs approved by the federal Food and Drug Administration for
10 the treatment of certain types of cancer, it may not exclude
11 coverage of any drug on the basis that the drug has been
12 prescribed for the treatment of a type of cancer for which the
13 drug has not been approved by the federal Food and Drug
14 Administration. The drug, however, must be approved by the
15 federal Food and Drug Administration and must be recognized for
16 the treatment of the specific type of cancer for which the drug
17 has been prescribed in any one of the following established
18 reference compendia:

19 ~~(a) the American Medical Association Drug Evaluations;~~

20 (a) ~~(b)~~ the American Hospital Formulary Service Drug
21 Information; ~~or~~

22 ~~(c) the United States Pharmacopeia Drug Information; or~~

23 (b) National Comprehensive Cancer Network's Drugs &

1 Biologics Compendium;

2 (c) Thomson Micromedex's Drug Dex;

3 (d) Elsevier Gold Standard's Clinical Pharmacology; or

4 (e) other authoritative compendia as identified from
5 time to time by the Federal Secretary of Health and Human
6 Services or the insurance commissioner; or

7 if not in the compendia, recommended for that particular type
8 of cancer in formal clinical studies, the results of which have
9 been published in at least two peer reviewed professional
10 medical journals published in the United States or Great
11 Britain.

12 Any coverage required by this Section shall also include
13 those medically necessary services associated with the
14 administration of a drug.

15 Despite the provisions of this Section, coverage shall not
16 be required for any experimental or investigational drugs or
17 any drug that the federal Food and Drug Administration has
18 determined to be contraindicated for treatment of the specific
19 type of cancer for which the drug has been prescribed. This
20 Section shall apply only to cancer drugs. Nothing in this
21 Section shall be construed, expressly or by implication, to
22 create, impair, alter, limit, notify, enlarge, abrogate or
23 prohibit reimbursement for drugs used in the treatment of any
24 other disease or condition.

25 (Source: P.A. 87-980.)

1 Section 10. The Illinois Insurance Code is amended by
2 changing Section 356z.7 as follows:

3 (215 ILCS 5/356z.7) (was 215 ILCS 5/370r)

4 Sec. 356z.7. Prescription drugs; cancer treatment. No
5 group policy of accident or health insurance that provides
6 coverage for prescribed drugs approved by the federal Food and
7 Drug Administration for the treatment of certain types of
8 cancer shall exclude coverage of any drug on the basis that the
9 drug has been prescribed for the treatment of a type of cancer
10 for which the drug has not been approved by the federal Food
11 and Drug Administration. The drug, however, must be approved by
12 the federal Food and Drug Administration and must be recognized
13 for the treatment of the specific type of cancer for which the
14 drug has been prescribed in any one of the following
15 established reference compendia:

16 ~~(a) the American Medical Association Drug Evaluations;~~

17 (a) ~~(b)~~ the American Hospital Formulary Service Drug
18 Information; ~~or~~

19 ~~(c) the United States Pharmacopeia Drug Information;~~

20 (b) National Comprehensive Cancer Network's Drugs &
21 Biologics Compendium;

22 (c) Thomson Micromedex's Drug Dex;

23 (d) Elsevier Gold Standard's Clinical Pharmacology; or

24 (e) other authoritative compendia as identified from
25 time to time by the Federal Secretary of Health and Human

1 Services or the insurance commissioner;
2 or if not in the compendia, recommended for that particular
3 type of cancer in formal clinical studies, the results of which
4 have been published in at least two peer reviewed professional
5 medical journals published in the United States or Great
6 Britain.

7 Any coverage required by this Section shall also include
8 those medically necessary services associated with the
9 administration of a drug.

10 Despite the provisions of this Section, coverage shall not
11 be required for any experimental or investigational drugs or
12 any drug that the federal Food and Drug Administration has
13 determined to be contraindicated for treatment of the specific
14 type of cancer for which the drug has been prescribed. This
15 Section shall apply only to cancer drugs. Nothing in this
16 Section shall be construed, expressly or by implication, to
17 create, impair, alter, limit, notify, enlarge, abrogate or
18 prohibit reimbursement for drugs used in the treatment of any
19 other disease or condition.

20 (Source: P.A. 95-331, eff. 8-21-07.)

21 Section 15. The Health Maintenance Organization Act is
22 amended by changing Section 4-6.3 as follows:

23 (215 ILCS 125/4-6.3)

24 Sec. 4-6.3. Prescription drugs; cancer treatment. No

1 health maintenance organization that provides coverage for
2 prescribed drugs approved by the federal Food and Drug
3 Administration for the treatment of certain types of cancer
4 shall exclude coverage of any drug on the basis that the drug
5 has been prescribed for the treatment of a type of cancer for
6 which the drug has not been approved by the federal Food and
7 Drug Administration. The drug, however, must be approved by the
8 federal Food and Drug Administration and must be recognized for
9 the treatment of the specific type of cancer for which the drug
10 has been prescribed in any one of the following established
11 reference compendia: ~~(a) the American Medical Association Drug~~
12 ~~Evaluations; (b)~~

13 (a) the American Hospital Formulary Service Drug
14 Information; ~~or (c) the United States Pharmacopeia Drug~~
15 Information;

16 (b) National Comprehensive Cancer Network's Drugs &
17 Biologics Compendium;

18 (c) Thomson Micromedex's Drug Dex;

19 (d) Elsevier Gold Standard's Clinical Pharmacology; or

20 (e) other authoritative compendia as identified from
21 time to time by the Federal Secretary of Health and Human
22 Services or the insurance commissioner;

23 or if not in the compendia, recommended for that particular
24 type of cancer in formal clinical studies, the results of which
25 have been published in at least two peer reviewed professional
26 medical journals published in the United States or Great

1 Britain.

2 Any coverage required by this Section shall also include
3 those medically necessary services associated with the
4 administration of a drug.

5 Despite the provisions of this Section, coverage shall not
6 be required for any experimental or investigational drugs or
7 any drug that the federal Food and Drug Administration has
8 determined to be contraindicated for treatment of the specific
9 type of cancer for which the drug has been prescribed. This
10 Section shall apply only to cancer drugs. Nothing in this
11 Section shall be construed, expressly or by implication, to
12 create, impair, alter, limit, notify, enlarge, abrogate or
13 prohibit reimbursement for drugs used in the treatment of any
14 other disease or condition.

15 (Source: P.A. 87-980; 88-45.)

16 Section 99. Effective date. This Act takes effect upon
17 becoming law.