

**SENATE, No. 1834**

**STATE OF NEW JERSEY**  
**214th LEGISLATURE**

INTRODUCED MARCH 22, 2010

**Sponsored by:**

**Senator LORETTA WEINBERG**

**District 37 (Bergen)**

**Senator NIA H. GILL**

**District 34 (Essex and Passaic)**

**Co-Sponsored by:**

**Senators Buono and Cardinale**

**SYNOPSIS**

Requires health insurers to cover oral cancer drugs and related support drugs on same basis as intravenous cancer medications and related support drugs.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 5/20/2011)**

1 AN ACT concerning health benefits coverage for oral cancer  
2 medications and revising various parts of statutory law.

3

4 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
5 *of New Jersey:*

6

7 1. A hospital service corporation contract that provides hospital  
8 and medical expense benefits and is delivered, issued, executed, or  
9 renewed in this State pursuant to P.L.1938, c.366 (C.17:48-1 et  
10 seq.), or approved for issuance or renewal in this State by the  
11 Commissioner of Banking and Insurance, on or after the effective  
12 date of this act, shall provide coverage for expenses for prescribed,  
13 orally administered anticancer medications used to kill or slow the  
14 growth of cancerous cells under the same terms and conditions as  
15 the contract provides for intravenously administered or injected  
16 cancer medications. The contract shall also provide coverage for  
17 expenses for medically necessary medications, such as medications  
18 that maintain red or white cell counts and treat nausea, that support  
19 the orally administered anticancer medications, under the same  
20 terms and conditions as the contract provides for intravenously  
21 administered or injected cancer medications.

22 This section shall apply to those hospital service corporation  
23 contracts in which the hospital service corporation has reserved the  
24 right to change the premium.

25

26 2. A medical service corporation contract that provides hospital  
27 and medical expense benefits and is delivered, issued, executed, or  
28 renewed in this State pursuant to P.L.1940, c.74 (C.17:48A-1 et  
29 seq.), or approved for issuance or renewal in this State by the  
30 Commissioner of Banking and Insurance, on or after the effective  
31 date of this act, shall provide coverage for expenses for prescribed,  
32 orally administered anticancer medications used to kill or slow the  
33 growth of cancerous cells under the same terms and conditions as  
34 the contract provides for intravenously administered or injected  
35 cancer medications. The contract shall also provide coverage for  
36 expenses for medically necessary medications, such as medications  
37 that maintain red or white cell counts and treat nausea, that support  
38 the orally administered anticancer medications, under the same  
39 terms and conditions as the contract provides for intravenously  
40 administered or injected cancer medications.

41 This section shall apply to those medical service corporation  
42 contracts in which the medical service corporation has reserved the  
43 right to change the premium.

44

45 3. A health service corporation contract that provides hospital  
46 and medical expense benefits and is delivered, issued, executed, or  
47 renewed in this State pursuant to P.L.1985, c.236 (C.17:48E-1 et  
48 seq.), or approved for issuance or renewal in this State by the

1 Commissioner of Banking and Insurance, on or after the effective  
2 date of this act, shall provide coverage for expenses for prescribed,  
3 orally administered anticancer medications used to kill or slow the  
4 growth of cancerous cells under the same terms and conditions as  
5 the contract provides for intravenously administered or injected  
6 cancer medications. The contract shall also provide coverage for  
7 expenses for medically necessary medications, such as medications  
8 that maintain red or white cell counts and treat nausea, that support  
9 the orally administered anticancer medications, under the same  
10 terms and conditions as the contract provides for intravenously  
11 administered or injected cancer medications.

12 This section shall apply to those health service corporation  
13 contracts in which the health service corporation has reserved the  
14 right to change the premium.

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16 4. An individual health insurance policy that provides hospital  
17 and medical expense benefits and is delivered, issued, executed, or  
18 renewed in this State pursuant to N.J.S.17B:26-1 et seq., or  
19 approved for issuance or renewal in this State by the Commissioner  
20 of Banking and Insurance, on or after the effective date of this act,  
21 shall provide coverage for expenses for prescribed, orally  
22 administered anticancer medications used to kill or slow the growth  
23 of cancerous cells under the same terms and conditions as the policy  
24 provides for intravenously administered or injected cancer  
25 medications. The policy shall also provide coverage for expenses  
26 for medically necessary medications, such as medications that  
27 maintain red or white cell counts and treat nausea, that support the  
28 orally administered anticancer medications, under the same terms  
29 and conditions as the policy provides for intravenously  
30 administered or injected cancer medications.

31 This section shall apply to those policies in which the insurer has  
32 reserved the right to change the premium.

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34 5. A group health insurance policy that provides hospital and  
35 medical expense benefits and is delivered, issued, executed, or  
36 renewed in this State pursuant to N.J.S.17B:27-26 et seq., or  
37 approved for issuance or renewal in this State by the Commissioner  
38 of Banking and Insurance, on or after the effective date of this act,  
39 shall provide coverage for expenses for prescribed, orally  
40 administered anticancer medications used to kill or slow the growth  
41 of cancerous cells under the same terms and conditions as the policy  
42 provides for intravenously administered or injected cancer  
43 medications. The policy shall also provide coverage for expenses  
44 for medically necessary medications, such as medications that  
45 maintain red or white cell counts and treat nausea, that support the  
46 orally administered anticancer medications, under the same terms  
47 and conditions as the policy provides for intravenously  
48 administered or injected cancer medications.

1 This section shall apply to those policies in which the insurer has  
2 reserved the right to change the premium.

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4 6. An individual health benefits plan that is delivered, issued,  
5 executed, or renewed in this State pursuant to P.L.1992, c.161  
6 (C.17B:27A-2 et seq.), on or after the effective date of this act, shall  
7 provide coverage for expenses for prescribed, orally administered  
8 anticancer medications used to kill or slow the growth of cancerous  
9 cells under the same terms and conditions as the plan provides for  
10 intravenously administered or injected cancer medications. The  
11 health benefits plan shall also provide coverage for expenses for  
12 medically necessary medications, such as medications that maintain  
13 red or white cell counts and treat nausea, that support the orally  
14 administered anticancer medications, under the same terms and  
15 conditions as the plan provides for intravenously administered or  
16 injected cancer medications.

17 This section shall apply to those health benefits plans in which  
18 the carrier has reserved the right to change the premium.

19  
20 7. A small employer health benefits plan that is delivered,  
21 issued, executed, or renewed in this State pursuant to P.L.1992,  
22 c.162 (C.17B:27A-17 et seq.), on or after the effective date of this  
23 act, shall provide coverage for expenses for prescribed, orally  
24 administered anticancer medications used to kill or slow the growth  
25 of cancerous cells under the same terms and conditions as the plan  
26 provides for intravenously administered or injected cancer  
27 medications. The health benefits plan shall also provide coverage  
28 for expenses for medically necessary medications, such as  
29 medications that maintain red or white cell counts and treat nausea,  
30 that support the orally administered anticancer medications, under  
31 the same terms and conditions as the plan provides for  
32 intravenously administered or injected cancer medications.

33 This section shall apply to those health benefits plans in which  
34 the carrier has reserved the right to change the premium.

35  
36 8. A health maintenance organization contract for health care  
37 services that is delivered, issued, executed, or renewed in this State  
38 pursuant to P.L.1973, c.337 (C.26:2J-1 et seq.), or approved for  
39 issuance or renewal in this State by the Commissioner of Banking  
40 and Insurance, on or after the effective date of this act, shall provide  
41 health care services for prescribed, orally administered anticancer  
42 medications used to kill or slow the growth of cancerous cells under  
43 the same terms and conditions as the contract provides for covered  
44 intravenously administered or injected cancer medications. The  
45 contract shall also provide coverage for expenses for medically  
46 necessary medications, such as medications that maintain red or  
47 white cell counts and treat nausea, that support the orally  
48 administered anticancer medications, under the same terms and

1 conditions as the contract provides for intravenously administered  
2 or injected cancer medications.

3 This section shall apply to those contracts for health care  
4 services under which the right to change the schedule of charges for  
5 enrollee coverage is reserved.

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7 9. The State Health Benefits Commission shall ensure that  
8 every contract purchased on or after the effective date of this act  
9 that provides hospital or medical expense benefits shall provide  
10 coverage for expenses for prescribed, orally administered anticancer  
11 medications used to kill or slow the growth of cancerous cells under  
12 the same terms and conditions as the contract provides for  
13 intravenously administered or injected cancer medications. The  
14 contract shall also provide coverage for expenses for medically  
15 necessary medications, such as medications that maintain red or  
16 white cell counts and treat nausea, that support the orally  
17 administered anticancer medications, under the same terms and  
18 conditions as the contract provides for intravenously administered  
19 or injected cancer medications.

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21 10. The School Employees' Health Benefits Commission shall  
22 ensure that every contract purchased on or after the effective date of  
23 this act that provides hospital or medical expense benefits shall  
24 provide coverage for expenses for prescribed, orally administered  
25 anticancer medications used to kill or slow the growth of cancerous  
26 cells under the same terms and conditions as the contract provides  
27 for intravenously administered or injected cancer medications. The  
28 contract shall also provide coverage for expenses for medically  
29 necessary medications, such as medications that maintain red or  
30 white cell counts and treat nausea, that support the orally  
31 administered anticancer medications, under the same terms and  
32 conditions as the contract provides for intravenously administered  
33 or injected cancer medications..

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35 11. This act shall take effect on the 180th day after enactment  
36 and shall apply to all contracts and policies issued on or after the  
37 effective date.

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40 STATEMENT

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42 This bill requires health insurance carriers (hospital, medical and  
43 health service corporations, individual, small employer, and larger  
44 group commercial insurers, and health maintenance organizations),  
45 the State Health Benefits Program (SHBP), and the School  
46 Employees' Health Benefits Program (SEHBP) to provide coverage  
47 for expenses for prescribed, orally administered anticancer  
48 medications used to kill or slow the growth of cancerous cells under

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1 the same terms and conditions as the policy or contract provides for  
2 intravenously administered or injected cancer medications. The bill  
3 also requires carriers, SHBP and SEHBP to provide coverage for  
4 expenses for medically necessary medications, such as medications  
5 that maintain red or white cell counts and treat nausea, that support  
6 the orally administered anticancer medications, under the same  
7 terms and conditions as the policy or contract provides for  
8 intravenously administered or injected cancer medications.