

# ASSEMBLY, No. 5208

## STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED MARCH 25, 2019

**Sponsored by:**

**Assemblyman HERB CONAWAY, JR.**

**District 7 (Burlington)**

**Assemblyman CHRISTOPHER P. DEPHILLIPS**

**District 40 (Bergen, Essex, Morris and Passaic)**

**Assemblywoman ANNETTE QUIJANO**

**District 20 (Union)**

**Co-Sponsored by:**

**Assemblyman Tully and Assemblywoman Swain**

**SYNOPSIS**

Requires physician to offer to test patient for dihydropyrimidine dehydrogenase deficiency prior to chemotherapy.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 12/10/2019)**

1 AN ACT concerning chemotherapy and supplementing various parts  
2 of the statutory law.

3  
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
5 *of New Jersey:*

6  
7 1. a. A physician shall offer to test a patient for  
8 dihydropyrimidine dehydrogenase deficiency prior to the patient  
9 undergoing chemotherapy treatment with drugs containing  
10 fluoropyrimidines.

11 b. As used in this act, “dihydropyrimidine dehydrogenase  
12 deficiency” means a disorder in which the human body experiences  
13 difficulty or is unable to breakdown chemotherapy drugs leading to  
14 a harmful reaction.

15  
16 2. An individual health insurance policy that is delivered,  
17 issued, executed, or renewed in this State pursuant to chapter 26 of  
18 Title 17B of the New Jersey Statutes, or approved for issuance or  
19 renewal in this State by the Commissioner of Banking and  
20 Insurance, on or after the effective date of this act, shall provide  
21 coverage for expenses incurred in conducting one test for  
22 dihydropyrimidine dehydrogenase deficiency every year and any  
23 prescription drug treatment of dihydropyrimidine dehydrogenase  
24 deficiency, if the policy provides prescription drug benefits.

25 The benefits shall be provided to the same extent as for any other  
26 condition under the policy.

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

29  
30 3. A group health insurance policy that is delivered, issued,  
31 executed, or renewed in this State pursuant to chapter 27 of Title  
32 17B of the New Jersey Statutes, or approved for issuance or renewal  
33 in this State by the Commissioner of Banking and Insurance, on or  
34 after the effective date of this act, shall provide coverage for  
35 expenses incurred in conducting one test for dihydropyrimidine  
36 dehydrogenase deficiency every year and any prescription drug  
37 treatment of dihydropyrimidine dehydrogenase deficiency, if the  
38 policy provides prescription drug benefits.

39 The benefits shall be provided to the same extent as for any other  
40 condition under the policy.

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

43  
44 4. An individual health benefits plan that is delivered, issued,  
45 executed, or renewed in this State pursuant to P.L.1992, c.161  
46 (C.17B:27A-2 et seq.), or approved for issuance or renewal in this  
47 State by the Commissioner of Banking and Insurance, on or after

1 the effective date of this act, shall provide coverage for expenses  
2 incurred in conducting one test for dihydropyrimidine  
3 dehydrogenase deficiency every year and any prescription drug  
4 treatment of dihydropyrimidine dehydrogenase deficiency, if the  
5 health benefits plan provides prescription drug benefits.

6 The benefits shall be provided to the same extent as for any other  
7 condition under the health benefits plan.

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

10

11 5. A small employer health benefits plan that is delivered,  
12 issued, executed, or renewed in this State pursuant to P.L.1992,  
13 c.162 (C.17B:27A-17 et seq.), or approved for issuance or renewal  
14 in this State by the Commissioner of Banking and Insurance, on or  
15 after the effective date of this act, shall provide coverage for  
16 expenses incurred in conducting one test for dihydropyrimidine  
17 dehydrogenase deficiency every year and any prescription drug  
18 treatment of dihydropyrimidine dehydrogenase deficiency, if the  
19 health benefits plan provides prescription drug benefits.

20 The benefits shall be provided to the same extent as for any other  
21 condition under the health benefits plan.

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

24

25 6. A health maintenance organization contract that is delivered,  
26 issued, executed, or renewed in this State pursuant to P.L.1973,  
27 c.337 (C.26:2J-1 et seq.), or approved for issuance or renewal in  
28 this State by the Commissioner of Banking and Insurance, on or  
29 after the effective date of this act, shall provide coverage for  
30 expenses incurred in conducting one test for dihydropyrimidine  
31 dehydrogenase deficiency every year and any prescription drug  
32 treatment of dihydropyrimidine dehydrogenase deficiency, if the  
33 health maintenance organization contract provides health care  
34 services for prescription drugs.

35 The health care services shall be provided to the same extent as  
36 for any other condition under the contract.

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

40

41 7. Pursuant to the "Administrative Procedure Act," P.L.1968,  
42 c.410 (C.52:14B-1 et seq.), the Commissioner of Health, in  
43 consultation with the State Board of Medical Examiners, shall pass  
44 rules and regulations to effectuate the provisions of section 1 of this  
45 act, and the Department of Banking and Insurance shall pass rules  
46 and regulations to effectuate the provisions of sections 2 through 6  
47 of this act.

1       8. This act shall take effect 180 days after the date of  
2 enactment.

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STATEMENT

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7       This bill requires a physician to offer to test a patient for  
8 dihydropyrimidine dehydrogenase deficiency prior to the patient  
9 undergoing chemotherapy treatment with drugs containing  
10 fluoropyrimidines. Dihydropyrimidine dehydrogenase deficiency is  
11 a disorder in which the human body experiences difficulty or is  
12 unable to breakdown chemotherapy drugs leading to a harmful  
13 reaction.

14       Under the bill, health insurance plans in this State are to cover  
15 expenses incurred in conducting one test for dihydropyrimidine  
16 dehydrogenase deficiency every year.