

SENATE, No. 3557

STATE OF NEW JERSEY
218th LEGISLATURE

INTRODUCED MARCH 7, 2019

Sponsored by:

Senator FRED H. MADDEN, JR.

District 4 (Camden and Gloucester)

Senator RICHARD J. CODEY

District 27 (Essex and Morris)

SYNOPSIS

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

CURRENT VERSION OF TEXT

As introduced.



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.

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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
48 the effective date of this act, shall provide coverage for expenses
49 incurred in conducting one test for dihydropyrimidine

1 dehydrogenase deficiency every year and any prescription drug
2 treatment of dihydropyrimidine dehydrogenase deficiency, if the
3 health benefits plan provides prescription drug benefits.

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

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

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

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

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

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

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

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

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39 7. Pursuant to the "Administrative Procedure Act," P.L.1968,
40 c.410 (C.52:14B-1 et seq.), the Commissioner of Health, in
41 consultation with the State Board of Medical Examiners, shall pass
42 rules and regulations to effectuate the provisions of section 1 of this
43 act, and the Department of Banking and Insurance shall pass rules
44 and regulations to effectuate the provisions of sections 2 through
45 76 of this act.

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47 8. This act shall take effect 180 days after the date of
48 enactment.

STATEMENT

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

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