

HOUSE BILL NO. 4071

February 02, 2023, Introduced by Reps. Steckloff, Fitzgerald, Brenda Carter, Byrnes, Martus, Morse, Hope, Tsernoglou, Hood, Rheingans, Rogers, Breen, Farhat, Stone, Glanville, Brabec, Coffia, Tyrone Carter, Wilson, Conlin, MacDonell, Skaggs, Paiz, Hoskins and Roth and referred to the Committee on Health Policy.

A bill to amend 1956 PA 218, entitled
"The insurance code of 1956,"
(MCL 500.100 to 500.8302) by adding section 3406z.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 **Sec. 3406z. (1) A health insurance policy delivered, issued**
2 **for delivery, or renewed in this state that provides coverage for**
3 **prescribed orally administered anticancer medications and**
4 **intravenously administered or injected anticancer medications must**
5 **ensure either of the following:**

6 **(a) That financial requirements applicable to prescribed**

1 orally administered anticancer medications are not more restrictive
2 than the financial requirements that apply to intravenously
3 administered or injected anticancer medications that are covered by
4 the health insurance policy.

5 (b) That the co-pay or coinsurance for orally administered
6 anticancer medication does not exceed \$150.00 per 30-day supply.
7 Beginning January 1, 2025, and each January 1 after that date, the
8 department shall adjust the financial requirement described in this
9 subdivision by an amount determined by the state treasurer that
10 reflects the cumulative annual change in the prescription drug
11 index of the medical care component of the United States Consumer
12 Price Index.

13 (2) An insurer cannot achieve compliance with this section by
14 increasing cost-sharing requirements, reclassifying benefits with
15 respect to anticancer medications, or imposing more restrictive
16 treatment limitations on prescribed orally administered anticancer
17 medications or intravenously administered or injected anticancer
18 medications covered under a health insurance policy described in
19 subsection (1).

20 (3) This section does not prohibit an insurer from applying
21 utilization management techniques, including prior authorization,
22 step therapy, limits on quantity dispensed, and days' supply per
23 fill for any administered anticancer medication.

24 (4) As used in this section:

25 (a) "Anticancer medication" means a medication used to kill,
26 slow, or prevent the growth of cancerous cells.

27 (b) "Cost-sharing requirement" means deductibles, copayments,
28 coinsurance, out-of-pocket expenses, aggregate lifetime limits, and
29 annual limits.

1 (c) "Treatment limitation" means limits on the frequency of
2 treatment, days of coverage, or other similar limits on the scope
3 or duration of treatment. Treatment limitation does not include the
4 application of utilization management techniques described in
5 subsection (3).

6 Enacting section 1. This amendatory act applies to health
7 insurance policies delivered, issued for delivery, or renewed in
8 this state after December 31, 2023.