

HOUSE BILL NO. 5084

October 04, 2023, Introduced by Reps. Brenda Carter, Pohutsky and Steckloff and referred to the Committee on Insurance and Financial Services.

A bill to amend 1956 PA 218, entitled
"The insurance code of 1956,"
by amending section 3406d (MCL 500.3406d), as amended by 2016 PA
276, and by adding section 3406z.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3406d. (1) ~~Subject to dollar limits, deductibles, and~~
2 ~~coinsurance provisions that are not less favorable than those for~~
3 ~~physical illness generally, an~~ **An** insurer that delivers, issues for
4 delivery, or renews in this state a health insurance policy shall
5 offer or include coverage for breast cancer diagnostic services,

1 breast cancer outpatient treatment services, ~~and~~ breast cancer
2 rehabilitative services, **diagnostic breast examinations, and**
3 **supplemental breast examinations.**

4 ~~(2) Subject to dollar limits, deductibles, and coinsurance~~
5 ~~provisions that are not less favorable than those for physical~~
6 ~~illness generally, an~~ **An** insurer that delivers, issues for
7 delivery, or renews in this state a health insurance policy shall
8 offer or include the following coverage for breast cancer screening
9 mammography:

10 (a) If performed on a ~~woman~~ **an individual** 35 years of age or
11 older and under 40 years of age, coverage for 1 screening
12 mammography examination during that 5-year period.

13 (b) If performed on a ~~woman~~ **an individual** 40 years of age or
14 older, coverage for 1 screening mammography examination every
15 calendar year.

16 **(3) Coverage under this section is not subject to dollar**
17 **limits, deductibles, or copayments.**

18 **(4)** ~~(3)~~ As used in this section:

19 (a) "Breast cancer diagnostic services" means a procedure
20 intended to aid in the diagnosis of breast cancer, delivered on an
21 inpatient or outpatient basis, including but not limited to
22 mammography, surgical breast biopsy, and pathologic examination and
23 interpretation.

24 (b) "Breast cancer rehabilitative services" means a procedure
25 intended to improve the result of, or ameliorate the debilitating
26 consequences of, treatment of breast cancer, delivered on an
27 inpatient or outpatient basis, including but not limited to
28 reconstructive plastic surgery, physical therapy, and psychological
29 and social support services.

1 (c) "Breast cancer screening mammography" means a standard 2-
2 view per breast, low-dose radiographic examination of the breasts,
3 using equipment designed and dedicated specifically for
4 mammography, in order to detect unsuspected breast cancer.

5 (d) "Breast cancer outpatient treatment services" means a
6 procedure intended to treat cancer of the human breast, delivered
7 on an outpatient basis, including but not limited to surgery,
8 radiation therapy, chemotherapy, hormonal therapy, and related
9 medical follow-up services.

10 (e) "Diagnostic breast examinations" means a medically
11 necessary and appropriate examination of the breast or an
12 examination using diagnostic mammography, breast magnetic resonance
13 imaging, or breast ultrasound, that is used to evaluate either of
14 the following:

15 (i) An abnormality seen or suspected from a screening
16 examination for breast cancer.

17 (ii) An abnormality detected by another means of examination.

18 (f) "Supplemental breast examinations" means a medically
19 necessary and appropriate examination of the breast or an
20 examination using breast magnetic resonance imaging or breast
21 ultrasound, that is both of the following:

22 (i) Used to screen for breast cancer if there is no abnormality
23 seen or suspected.

24 (ii) Based on personal or family medical history, or additional
25 factors that may increase the individual's risk of breast cancer.

26 Sec. 3406z. (1) An insurer that delivers, issues for delivery,
27 or renews in this state a health insurance policy that provides
28 coverage for prescription drugs for advanced metastatic cancer and
29 associated conditions shall not require, before coverage is

1 provided, that an enrollee do either of the following:

2 (a) Fail to successfully respond to a different prescription
3 drug.

4 (b) Prove a history of failure of a different prescription
5 drug.

6 (2) As used in this section:

7 (a) "Advanced metastatic cancer" means cancer that has spread
8 from the primary or original site of the cancer to nearby tissues,
9 lymph nodes, or other areas or parts of the body.

10 (b) "Associated conditions" means the symptoms or side effects
11 associated with advanced metastatic cancer or its treatment, that,
12 in the judgment of the health care provider, further jeopardize the
13 health of the patient if left untreated.