



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

HB2275

Introduced 2/18/2009, by Rep. JoAnn D. Osmond

#### SYNOPSIS AS INTRODUCED:

5 ILCS 375/6.4	from Ch. 127, par. 526.4
215 ILCS 5/356z.7	was 215 ILCS 5/370r
215 ILCS 125/4-6.3	

Amends the State Employees Group Insurance Act of 1971, Illinois Insurance Code, and Health Maintenance Organization Act to set forth certain reference compendia and other authoritative compendia, as identified by the Federal Secretary of Health and Human Services or the insurance commissioner, in which a drug must be recognized for the treatment of the specific type of cancer for which the drug has been prescribed. Effective immediately.

LRB096 09560 RPM 19721 b

1 AN ACT concerning insurance.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The State Employees Group Insurance Act of 1971  
5 is amended by changing Section 6.4 as follows:

6 (5 ILCS 375/6.4) (from Ch. 127, par. 526.4)

7 Sec. 6.4. Prescription drugs; cancer treatment. If the  
8 program of health benefits provides coverage for prescribed  
9 drugs approved by the federal Food and Drug Administration for  
10 the treatment of certain types of cancer, it may not exclude  
11 coverage of any drug on the basis that the drug has been  
12 prescribed for the treatment of a type of cancer for which the  
13 drug has not been approved by the federal Food and Drug  
14 Administration. The drug, however, must be approved by the  
15 federal Food and Drug Administration and must be recognized for  
16 the treatment of the specific type of cancer for which the drug  
17 has been prescribed in any one of the following established  
18 reference compendia:

19 ~~(a) the American Medical Association Drug Evaluations;~~

20 (a) ~~(b)~~ the American Hospital Formulary Service Drug  
21 Information; ~~or~~

22 ~~(c) the United States Pharmacopeia Drug Information; or~~

23 (b) National Comprehensive Cancer Network's Drugs &

1 Biologics Compendium;

2 (c) Thomson Micromedex's Drug Dex;

3 (d) Elsevier Gold Standard's Clinical Pharmacology; or

4 (e) other authoritative compendia as identified from  
5 time to time by the Federal Secretary of Health and Human  
6 Services or the insurance commissioner; or

7 if not in the compendia, recommended for that particular type  
8 of cancer in formal clinical studies, the results of which have  
9 been published in at least two peer reviewed professional  
10 medical journals published in the United States or Great  
11 Britain.

12 Any coverage required by this Section shall also include  
13 those medically necessary services associated with the  
14 administration of a drug.

15 Despite the provisions of this Section, coverage shall not  
16 be required for any experimental or investigational drugs or  
17 any drug that the federal Food and Drug Administration has  
18 determined to be contraindicated for treatment of the specific  
19 type of cancer for which the drug has been prescribed. This  
20 Section shall apply only to cancer drugs. Nothing in this  
21 Section shall be construed, expressly or by implication, to  
22 create, impair, alter, limit, notify, enlarge, abrogate or  
23 prohibit reimbursement for drugs used in the treatment of any  
24 other disease or condition.

25 (Source: P.A. 87-980.)

1 Section 10. The Illinois Insurance Code is amended by  
2 changing Section 356z.7 as follows:

3 (215 ILCS 5/356z.7) (was 215 ILCS 5/370r)

4 Sec. 356z.7. Prescription drugs; cancer treatment. No  
5 group policy of accident or health insurance that provides  
6 coverage for prescribed drugs approved by the federal Food and  
7 Drug Administration for the treatment of certain types of  
8 cancer shall exclude coverage of any drug on the basis that the  
9 drug has been prescribed for the treatment of a type of cancer  
10 for which the drug has not been approved by the federal Food  
11 and Drug Administration. The drug, however, must be approved by  
12 the federal Food and Drug Administration and must be recognized  
13 for the treatment of the specific type of cancer for which the  
14 drug has been prescribed in any one of the following  
15 established reference compendia:

16 ~~(a) the American Medical Association Drug Evaluations;~~

17 (a) ~~(b)~~ the American Hospital Formulary Service Drug  
18 Information; or

19 ~~(c) the United States Pharmacopeia Drug Information;~~

20 (b) National Comprehensive Cancer Network's Drugs &  
21 Biologics Compendium;

22 (c) Thomson Micromedex's Drug Dex;

23 (d) Elsevier Gold Standard's Clinical Pharmacology; or

24 (e) other authoritative compendia as identified from  
25 time to time by the Federal Secretary of Health and Human

1           Services or the insurance commissioner;  
2           or if not in the compendia, recommended for that particular  
3           type of cancer in formal clinical studies, the results of which  
4           have been published in at least two peer reviewed professional  
5           medical journals published in the United States or Great  
6           Britain.

7           Any coverage required by this Section shall also include  
8           those medically necessary services associated with the  
9           administration of a drug.

10          Despite the provisions of this Section, coverage shall not  
11          be required for any experimental or investigational drugs or  
12          any drug that the federal Food and Drug Administration has  
13          determined to be contraindicated for treatment of the specific  
14          type of cancer for which the drug has been prescribed. This  
15          Section shall apply only to cancer drugs. Nothing in this  
16          Section shall be construed, expressly or by implication, to  
17          create, impair, alter, limit, notify, enlarge, abrogate or  
18          prohibit reimbursement for drugs used in the treatment of any  
19          other disease or condition.

20          (Source: P.A. 95-331, eff. 8-21-07.)

21          Section 15. The Health Maintenance Organization Act is  
22          amended by changing Section 4-6.3 as follows:

23                 (215 ILCS 125/4-6.3)

24                 Sec. 4-6.3. Prescription drugs; cancer treatment. No

1 health maintenance organization that provides coverage for  
2 prescribed drugs approved by the federal Food and Drug  
3 Administration for the treatment of certain types of cancer  
4 shall exclude coverage of any drug on the basis that the drug  
5 has been prescribed for the treatment of a type of cancer for  
6 which the drug has not been approved by the federal Food and  
7 Drug Administration. The drug, however, must be approved by the  
8 federal Food and Drug Administration and must be recognized for  
9 the treatment of the specific type of cancer for which the drug  
10 has been prescribed in any one of the following established  
11 reference compendia: ~~(a) the American Medical Association Drug  
12 Evaluations; (b)~~

13 (a) the American Hospital Formulary Service Drug  
14 Information; ~~or (c) the United States Pharmacopeia Drug~~  
15 Information;

16 (b) National Comprehensive Cancer Network's Drugs &  
17 Biologics Compendium;

18 (c) Thomson Micromedex's Drug Dex;

19 (d) Elsevier Gold Standard's Clinical Pharmacology; or

20 (e) other authoritative compendia as identified from  
21 time to time by the Federal Secretary of Health and Human  
22 Services or the insurance commissioner;

23 or if not in the compendia, recommended for that particular  
24 type of cancer in formal clinical studies, the results of which  
25 have been published in at least two peer reviewed professional  
26 medical journals published in the United States or Great

1 Britain.

2 Any coverage required by this Section shall also include  
3 those medically necessary services associated with the  
4 administration of a drug.

5 Despite the provisions of this Section, coverage shall not  
6 be required for any experimental or investigational drugs or  
7 any drug that the federal Food and Drug Administration has  
8 determined to be contraindicated for treatment of the specific  
9 type of cancer for which the drug has been prescribed. This  
10 Section shall apply only to cancer drugs. Nothing in this  
11 Section shall be construed, expressly or by implication, to  
12 create, impair, alter, limit, notify, enlarge, abrogate or  
13 prohibit reimbursement for drugs used in the treatment of any  
14 other disease or condition.

15 (Source: P.A. 87-980; 88-45.)

16 Section 99. Effective date. This Act takes effect upon  
17 becoming law.