

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021**

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HOUSE BILL 524

Short Title: Oral Chemo Treatment Access During Pandemic. (Public)

Sponsors: Representatives Cunningham, Adcock, and Sasser (Primary Sponsors).
For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Health, if favorable, Insurance, if favorable, Rules, Calendar, and Operations of the House

April 13, 2021

A BILL TO BE ENTITLED
AN ACT TO REQUIRE COVERAGE FOR ORALLY ADMINISTERED ANTICANCER
DRUGS DURING COVID-19 STATE OF EMERGENCY.

Whereas, in recent years, oral chemotherapy treatments have been developed that provide viable alternatives to traditional intravenous cancer treatments for patients; and

Whereas, this oral chemotherapy treatment offers the treating physician and the patient a choice in relation to treatment options; and

Whereas, this choice is sometimes limited as the oral chemotherapy treatments are in most cases covered under the prescription drug benefit of an insurance plan rather than under the major medical insurance benefit of an insurance plan; and

Whereas, the public health emergency makes it difficult for some patients to travel for traditional intravenous cancer treatment; Now, therefore,
The General Assembly of North Carolina enacts:

SECTION 1. The following shall apply to every health benefit plan offered in this State, as defined under G.S. 58-3-167, that provides coverage for prescribed, orally administered anticancer drugs that are used to kill or slow the growth of cancerous cells and that provides coverage for intravenously administered or injected anticancer drugs:

- (1) The health benefit plan shall provide coverage for prescribed, orally administered anticancer drugs on a basis no less favorable than the coverage the plan provides for intravenously administered or injected anticancer drugs.
- (2) Coverage for orally administered anticancer drugs shall not be subject to any prior authorization, dollar limit, copayment, coinsurance, or deductible provision or to any other out-of-pocket expense that does not apply to intravenously administered or injected anticancer drugs.

SECTION 2. The Commissioner of Insurance shall have the authority to enforce the provisions of this act and may adopt temporary rules to implement this act.

SECTION 3. An insurer offering a health benefit plan in this State shall not achieve compliance with this section by reclassifying anticancer drugs or by increasing patient cost-sharing, including any coinsurance, copayment, deductible, or other out-of-pocket expenses imposed on anticancer drugs. Any health benefit plan change that increases an out-of-pocket expense applied to anticancer drugs must also be applied to the majority of comparable medical or pharmaceutical benefits covered by that health benefit plan.



1 **SECTION 4.** This act becomes effective when it becomes law and expires 60 days
2 after the date Executive Order No. 116, Declaration of a State of Emergency to Coordinate
3 Response and Protective Actions to Prevent the Spread of COVID-19, expires or is rescinded.