

House Bill 1263

By: Representatives Dawkins-Haigler of the 93rd, Jones of the 44th, Stephenson of the 92nd,
and Stephens of the 161st

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 1 of Chapter 24 of Title 33 of the Official Code of Georgia Annotated,
2 relating to general provisions relative to insurance generally, so as to provide for definitions;
3 to provide for payment or reimbursement of orally administered chemotherapy at the same
4 reimbursement rate as intravenously administered chemotherapy; to provide for related
5 matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 1 of Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to
9 general provisions relative to insurance generally, is amended by adding a new Code section
10 to read as follows:

11 "33-24-56.5.

12 (a) As used in this Code section, the term:

13 (1) 'Health benefit policy' means any individual or group plan, policy, or contract for
14 health care services issued, delivered, issued for delivery, amended, executed, or renewed
15 in this state by an insurer on or after July 1, 2010, including, but not limited to, those
16 contracts executed by the State of Georgia on behalf of state employees under Article 1
17 of Chapter 18 of Title 45.

18 (2) 'Insurer' means an accident and sickness insurer, fraternal benefit society, hospital
19 service corporation, health care corporation, health maintenance organization, preferred
20 provider organization, provider sponsored health care corporation, managed care entity,
21 or any similar entity authorized to issue contracts under this title or to provide health
22 benefit policies.

23 (3) 'Intravenously administered chemotherapy' means a physician prescribed cancer
24 treatment that is administered through injection directly into the patient's circulatory
25 system in a hospital, medical office, or other clinical setting by a physician, physician

26 assistant, nurse practitioner, nurse, or other medical personnel under the supervision of
27 a physician.

28 (4) 'Oral chemotherapy' means a United States Food and Drug Administration approved,
29 physician prescribed cancer treatment that is taken orally in the form of a tablet or
30 capsule that may be administered in a hospital, medical office, or other clinical setting or
31 delivered to the patient for self-administration outside a hospital, medical office, or other
32 clinical setting under the direction or supervision of a physician.

33 (b) Every health benefit policy that includes coverage or benefits for the treatment of
34 cancer shall provide payment or reimbursement for all chemotherapy that is considered
35 medically necessary, including oral chemotherapy, at the same copayment percentage or
36 relative coinsurance amount as is applied to intravenously administered chemotherapy."

37 **SECTION 2.**

38 All laws and parts of laws in conflict with this Act are repealed.