

AN ACT

ENTITLED, An Act to establish certain provisions regarding cancer treatment medication coverage by insurance companies.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. Any health benefit plan as defined in § 58-17H-2 that provides benefits for injected or intravenously administered cancer treatment medication used to kill or slow the growth of cancerous cells shall provide no less favorable benefits for prescribed, orally administered anticancer medication covered by the plan, regardless of the formulation or benefit category determination by the health plan.

Section 2. A health carrier may not reclassify benefits with respect to cancer treatment medications or increase a copayment, deductible, or coinsurance amount for covered cancer treatment medications that are injected or intravenously administered unless:

- (1) The increase is applied generally to other medical or pharmaceutical benefits covered under the plan and is not done to circumvent section 1 of this Act;
- (2) The reclassification of benefits with respect to cancer treatment medications is done in a manner that is consistent with this Act; or
- (3) A health carrier is applying cost-sharing increases consistent with the annual increases in the cost of health care.

Section 3. Nothing in this Act prohibits a health carrier from performing medical management practices that comply with the provisions of chapter 58-17H.

Section 4. This Act is effective January 1, 2016.

An Act to establish certain provisions regarding cancer treatment medication coverage by insurance companies.

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I certify that the attached Act originated in the

SENATE as Bill No. 101

Secretary of the Senate

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President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 101
File No. _____
Chapter No. _____

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Received at this Executive Office this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

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The attached Act is hereby approved this _____ day of _____ , A.D., 20____

Governor

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STATE OF SOUTH DAKOTA,
ss.

Office of the Secretary of State

Filed _____ , 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State