

LEGAL SERVICES

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MEMORANDUM

April 17, 2009

SUBJECT: Mandatory health care insurance coverage for clinical trials for cancer (CSSB 10(HSS), Work Order No. 26-LS0073\S)

TO: Senator Bettye Davis
Attn: Thomas Obermeyer

FROM: Dennis C. Bailey *DCB*
Legislative Counsel

You have requested a sectional summary of the above-described bill.

As a preliminary matter, note that a sectional summary of a bill should not be considered an authoritative interpretation of the bill and the bill itself is the best statement of its contents.

Section 1. Requires health care insurers to cover approved clinical trials for cancer if there is no clearly superior noninvestigational treatment alternative, and available clinical or preclinical data provide a reasonable expectation that the treatment in the clinical trial will be at least as efficacious as any noninvestigational alternative; identifies the items that must be included in and excluded from the required coverage; makes coverage for clinical trials subject to standard policy provisions that are applicable to other benefits; and defines the meaning of an approved clinical trial.

Section 2. Allows the state health insurance plan provided by the Comprehensive Health Care Insurance Association to include clinical trials related to cancer in its minimum standard benefits.

Section 3. Requires the state Medicaid program to cover clinical trials related to cancer.

Section 4. Gives the Act a January 1, 2010, effective date.

DCB:ljw
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