



## Maine's Oral Anticancer Treatment Access Law: What Clinicians Need to Know



### **Outdated coverage policies in Maine USED TO limit cancer patients' access to life-saving drugs!**

Traditionally, IV chemotherapy treatments are covered under a health plan's medical benefit where the patient is required to pay an office visit copay, usually between \$20 and \$30. Conversely, oral anticancer medications are covered under a health plan's prescription benefit and, many times, patients are responsible for extremely high and unmanageable copays, creating an enormous barrier for patients to access orally administered drugs. According to a recent study published in the Journal of Oncology Practice and American Journal of Managed Care, 10% of cancer patients failed to fill their initial prescriptions for oral anticancer medications due to high out-of-pocket costs.

### **Legislative Solution**

In an effort to remove barriers to accessing life-saving treatments for cancer patients, Maine passed legislation in February 2014, which applies to insurance plans issued or renew on or after January 1, 2015. The law directs health benefit plans that provide coverage for cancer chemotherapy treatment to extend coverage for orally administered anticancer medication at a cost to equal to the cost of intravenously administered or injected anticancer medications. Additionally, plans may not increase cost-sharing to patients for IV medications of reclassify benefits to be in compliance. **To view Maine's oral anticancer medication access law, please see next page.**

### **What Does This Mean for Patients?**

If a patient is *privately insured (the law does not apply to Medicare)*, and their plan covers chemotherapy, an FDA-approved, orally administered drug should have the same out-of-pocket costs for the patient as an intravenously administered drug.

### **What to do if an insurance plan does not comply & to find out if the law applies to your health plan:**

Please contact the Maine Bureau of Insurance's Consumer Health Care Division at 800-300-5000 or visit them on the web at [http://www.maine.gov/pfr/insurance/consumer/CHCD\\_Brochure.htm](http://www.maine.gov/pfr/insurance/consumer/CHCD_Brochure.htm).

For information about our oral parity work in Washington, DC, please go to [peac.myeloma.org](http://peac.myeloma.org).



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## An Act Relating to Orally Administered Cancer Therapy

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 24-A MRSA §4317-B is enacted to read:

### § 4317-B. Orally administered cancer therapy

**1. Coverage.** A carrier that provides coverage for cancer chemotherapy treatment shall provide coverage for prescribed, orally administered anticancer medications used to kill or slow the growth of cancerous cells that is equivalent to the coverage provided for intravenously administered or injected anticancer medications. An increase in patient cost sharing for anticancer medications may not be used to achieve compliance with this section.

**2. Construction.** This section may not be construed to prohibit or limit a carrier's ability to establish a prescription drug formulary or to require a carrier to cover an orally administered anticancer medication on the sole basis that it is an alternative to an intravenously administered or injected anticancer medication.

**Sec. 2. Application.** This Act applies to all policies, contracts and certificates executed, delivered, issued for delivery, continued or renewed in this State on or after January 1, 2015. For purposes of this Act, all contracts are deemed to be renewed no later than the next yearly anniversary of the contract date.

Effective 90 days following adjournment of the 126th Legislature, Second Regular Session, unless otherwise indicated.