



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



### **Outdated coverage policies in Oregon USED TO limit cancer patients' access to life-saving drugs!**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, Oregon was one of the first states to implement a law, effective January 1, 2008, regarding orally administered anticancer medication. The law directs health benefit plans that provide coverage for cancer chemotherapy treatment to extend coverage for orally administered anticancer medication at a cost no less favorable to intravenously administered or injected cancer medications. Additionally, plans may not increase the out-of-pocket costs to achieve compliance. **To view Oregon's oral parity law, please see next page.**

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

If a patient is ***privately insured (the law does not apply to Medicare or Medicare supplemental plans)***, 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:**

Visit the Oregon Department of Consumer & Business Services Insurance Division on the web at <http://www.oregon.gov/DCBS/insurance/gethelp/Pages/answers-and-action.aspx> or call 1-888-877-4894. For information about our oral parity work in Washington, DC, please go to: [peac.myeloma.org](http://peac.myeloma.org).



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



### OREGON REVISED STATUTES

#### TITLE 56 INSURANCE

#### Chapter 743 A - Health Insurance: Required Reimbursements

#### ORS § 743A.068 (2009)

743A.068 Orally administered anticancer medication.

(1) A health benefit plan that provides coverage for cancer chemotherapy treatment must provide coverage for a prescribed, orally administered anticancer medication used to kill or slow the growth of cancerous cells on a basis no less favorable than intravenously administered or injected cancer medications that are covered as medical benefits.

(2) As used in this section, "health benefit plan" has the meaning given that term in ORS 743.730.

(3) The provisions of ORS 743A.001 do not apply to this section.

Note: 743A.068 was added to and made a part of the Insurance Code by legislative action but was not added to ORS chapter 743A or any series therein. See Preface to Oregon Revised Statutes for further explanation.