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Assemblyman Tully, Assemblywomen Swain and B.DeCroce

SYNOPSIS
Requires physician to offer to test patient for dihydropyrimidine dehydrogenase deficiency prior to chemotherapy.

CURRENT VERSION OF TEXT
As reported by the Assembly Health Committee on May 5, 2021, with amendments.
AN ACT concerning chemotherapy and supplementing various parts of the statutory law.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. a. A physician \[\text{shall} \] may offer to test a patient for dihydropyrimidine dehydrogenase deficiency prior to the patient undergoing chemotherapy treatment with drugs containing fluoropyrimidines \[\text{if the physician determines that the test is medically necessary} \].

b. As used in this act, “dihydropyrimidine dehydrogenase deficiency” means a disorder in which the human body experiences difficulty or is unable to breakdown chemotherapy drugs leading to a harmful reaction.

2. An individual health insurance policy that is delivered, issued, executed, or renewed in this State pursuant to chapter 26 of Title 17B of the New Jersey Statutes, or approved for issuance or renewal in this State by the Commissioner of Banking and Insurance, on or after the effective date of this act, shall provide coverage for expenses incurred in conducting \[\text{one test} \] tests for dihydropyrimidine dehydrogenase deficiency \[\text{every year} \] and any prescription drug treatment of dihydropyrimidine dehydrogenase deficiency, if the policy provides prescription drug benefits.

   The benefits shall be provided to the same extent as for any other condition under the policy.

   This section shall apply to those policies in which the insurer has reserved the right to change the premium.

3. A group health insurance policy that is delivered, issued, executed, or renewed in this State pursuant to chapter 27 of Title 17B of the New Jersey Statutes, or approved for issuance or renewal in this State by the Commissioner of Banking and Insurance, on or after the effective date of this act, shall provide coverage for expenses incurred in conducting \[\text{one test} \] tests for dihydropyrimidine dehydrogenase deficiency \[\text{every year} \] and any prescription drug treatment of dihydropyrimidine dehydrogenase deficiency, if the policy provides prescription drug benefits.

   The benefits shall be provided to the same extent as for any other condition under the policy.

   This section shall apply to those policies in which the insurer has reserved the right to change the premium.

EXPLANATION – Matter enclosed in bold-faced brackets \([\text{thus}]\) in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined \(\text{thus}\) is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

\(^1\text{Assembly AHE committee amendments adopted May 5, 2021.}\)
4. An individual health benefits plan that is delivered, issued, executed, or renewed in this State pursuant to P.L.1992, c.161 (C.17B:27A-2 et seq.), or approved for issuance or renewal in this State by the Commissioner of Banking and Insurance, on or after the effective date of this act, shall provide coverage for expenses incurred in conducting one test for dihydropyrimidine dehydrogenase deficiency and any prescription drug treatment of dihydropyrimidine dehydrogenase deficiency, if the health benefits plan provides prescription drug benefits. The benefits shall be provided to the same extent as for any other condition under the health benefits plan.

This section shall apply to those health benefits plans in which the carrier has reserved the right to change the premium.

5. A small employer health benefits plan that is delivered, issued, executed, or renewed in this State pursuant to P.L.1992, c.162 (C.17B:27A-17 et seq.), or approved for issuance or renewal in this State by the Commissioner of Banking and Insurance, on or after the effective date of this act, shall provide coverage for expenses incurred in conducting one test for dihydropyrimidine dehydrogenase deficiency and any prescription drug treatment of dihydropyrimidine dehydrogenase deficiency, if the health benefits plan provides prescription drug benefits. The benefits shall be provided to the same extent as for any other condition under the health benefits plan.

This section shall apply to those health benefits plans in which the carrier has reserved the right to change the premium.

6. A health maintenance organization contract that is delivered, issued, executed, or renewed in this State pursuant to P.L.1973, c.337 (C.26:2J-1 et seq.), or approved for issuance or renewal in this State by the Commissioner of Banking and Insurance, on or after the effective date of this act, shall provide coverage for expenses incurred in conducting one test for dihydropyrimidine dehydrogenase deficiency and any prescription drug treatment of dihydropyrimidine dehydrogenase deficiency, if the health maintenance organization contract provides health care services for prescription drugs. The health care services shall be provided to the same extent as for any other condition under the contract.

This section shall apply to those contracts for health care services under which the right to change the schedule of charges for enrollee coverage is reserved.

7. Pursuant to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et seq.), the Commissioner of Health, in consultation with the State Board of Medical Examiners, shall pass
rules and regulations to effectuate the provisions of section 1 of this act, and the Department of Banking and Insurance shall pass rules and regulations to effectuate the provisions of sections 2 through 6 of this act.

8. This act shall take effect 180 days after the date of enactment.