

[First Reprint]

ASSEMBLY, No. 986

STATE OF NEW JERSEY
219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Assemblyman HERB CONAWAY, JR.

District 7 (Burlington)

Assemblyman CHRISTOPHER P. DEPHILLIPS

District 40 (Bergen, Essex, Morris and Passaic)

Assemblywoman ANNETTE QUIJANO

District 20 (Union)

Co-Sponsored by:

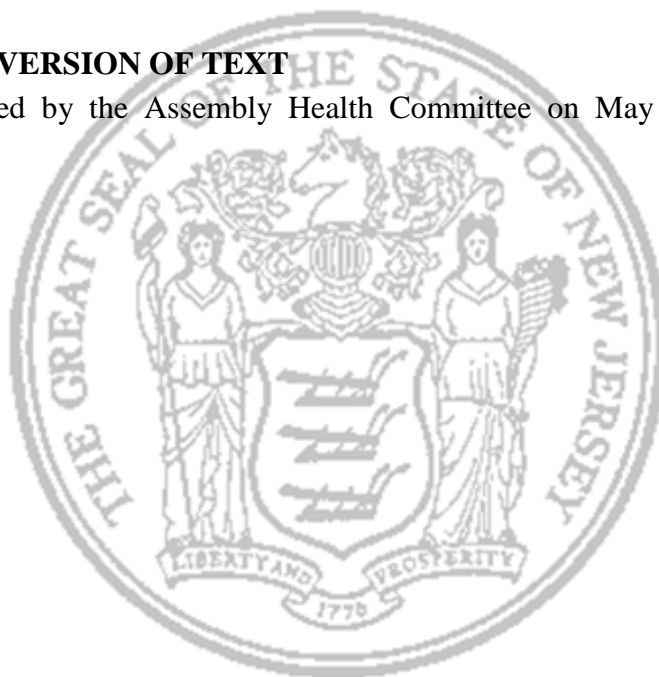
Assemblyman Tully, Assemblywomen Swain and B.DeCroce

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.



(Sponsorship Updated As Of: 5/12/2021)

1 AN ACT concerning chemotherapy and supplementing various parts
2 of the statutory law.

3

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

6

7 1. a. A physician ¹**[shall]** may¹ offer to test a patient for
8 dihydropyrimidine dehydrogenase deficiency prior to the patient
9 undergoing chemotherapy treatment with drugs containing
10 fluoropyrimidines ¹if the physician determines that the test is
11 medically necessary¹.

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

16

17 2. An individual health insurance policy that is delivered,
18 issued, executed, or renewed in this State pursuant to chapter 26 of
19 Title 17B of the New Jersey Statutes, or approved for issuance or
20 renewal in this State by the Commissioner of Banking and
21 Insurance, on or after the effective date of this act, shall provide
22 coverage for expenses incurred in conducting ¹**[one test]** tests¹ for
23 dihydropyrimidine dehydrogenase deficiency ¹**[every year]**¹ and
24 any prescription drug treatment of dihydropyrimidine
25 dehydrogenase deficiency, if the policy provides prescription drug
26 benefits.

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

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

31

32 3. A group health insurance policy that is delivered, issued,
33 executed, or renewed in this State pursuant to chapter 27 of Title
34 17B of the New Jersey Statutes, or approved for issuance or renewal
35 in this State by the Commissioner of Banking and Insurance, on or
36 after the effective date of this act, shall provide coverage for
37 expenses incurred in conducting ¹**[one test]** tests¹ for
38 dihydropyrimidine dehydrogenase deficiency ¹**[every year]**¹ and
39 any prescription drug treatment of dihydropyrimidine
40 dehydrogenase deficiency, if the policy provides prescription drug
41 benefits.

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

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

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AHE committee amendments adopted May 5, 2021.

1 4. An individual health benefits plan that is delivered, issued,
2 executed, or renewed in this State pursuant to P.L.1992, c.161
3 (C.17B:27A-2 et seq.), or approved for issuance or renewal in this
4 State by the Commissioner of Banking and Insurance, on or after
5 the effective date of this act, shall provide coverage for expenses
6 incurred in conducting ¹~~【one test】~~ tests¹ for dihydropyrimidine
7 dehydrogenase deficiency ¹~~【every year】~~¹ and any prescription drug
8 treatment of dihydropyrimidine dehydrogenase deficiency, if the
9 health benefits plan provides prescription drug benefits.

10 The benefits shall be provided to the same extent as for any other
11 condition under the health benefits plan.

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

14
15 5. A small employer health benefits plan that is delivered,
16 issued, executed, or renewed in this State pursuant to P.L.1992,
17 c.162 (C.17B:27A-17 et seq.), or approved for issuance or renewal
18 in this State by the Commissioner of Banking and Insurance, on or
19 after the effective date of this act, shall provide coverage for
20 expenses incurred in conducting ¹~~【one test】~~ tests¹ for
21 dihydropyrimidine dehydrogenase deficiency ¹~~【every year】~~¹ and
22 any prescription drug treatment of dihydropyrimidine
23 dehydrogenase deficiency, if the health benefits plan provides
24 prescription drug benefits.

25 The benefits shall be provided to the same extent as for any other
26 condition under the health benefits plan.

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

29
30 6. A health maintenance organization contract that is delivered,
31 issued, executed, or renewed in this State pursuant to P.L.1973,
32 c.337 (C.26:2J-1 et seq.), or approved for issuance or renewal in
33 this State by the Commissioner of Banking and Insurance, on or
34 after the effective date of this act, shall provide coverage for
35 expenses incurred in conducting ¹~~【one test】~~ tests¹ for
36 dihydropyrimidine dehydrogenase deficiency ¹~~【every year】~~¹ and
37 any prescription drug treatment of dihydropyrimidine
38 dehydrogenase deficiency, if the health maintenance organization
39 contract provides health care services for prescription drugs.

40 The health care services shall be provided to the same extent as
41 for any other condition under the contract.

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

45
46 7. Pursuant to the "Administrative Procedure Act," P.L.1968,
47 c.410 (C.52:14B-1 et seq.), the Commissioner of Health, in
48 consultation with the State Board of Medical Examiners, shall pass

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1 rules and regulations to effectuate the provisions of section 1 of this
2 act, and the Department of Banking and Insurance shall pass rules
3 and regulations to effectuate the provisions of sections 2 through 6
4 of this act.

5

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