

BILL ANALYSIS

C.S.H.B. 1584
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Insurance
Committee Report (Substituted)

BACKGROUND AND PURPOSE

There are concerns that step therapy, a method some health insurers use to control drugs provided to patients by providing coverage only for a medication that is more cost-effective for the insurer than the one prescribed until a patient fails to respond to the medication, may limit or delay access to treatments doctors recommend for patients living with potentially life-threatening or debilitating conditions. C.S.H.B. 1584 seeks to address these concerns by prohibiting a health benefit plan from requiring step therapy for patients with stage-four advanced, metastatic cancer and associated conditions.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 1584 amends the Insurance Code to prohibit a health benefit plan that provides coverage for stage-four advanced, metastatic cancer and associated conditions from requiring, before the plan provides coverage of a prescription drug approved by the U.S. Food and Drug Administration (FDA), that the enrollee fail to successfully respond to a different drug or prove a history of failure of a different drug. The bill applies only to a drug whose use is consistent with best practices for the treatment of stage-four advanced, metastatic cancer or an associated condition and supported by peer-reviewed medical literature. The bill establishes the applicability of its provisions. The bill applies only to a health benefit plan delivered, issued for delivery, or renewed on or after January 1, 2020.

EFFECTIVE DATE

September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 1584 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute expands the applicability of the prohibition to include a health benefit plan that provides coverage for conditions associated with stage-four advanced, metastatic cancer.