

HCS HBs 593 & 695 -- MISSOURI ORAL CHEMOTHERAPY PARITY INTERIM COMMITTEE

SPONSOR: Solon

COMMITTEE ACTION: Voted "Do Pass" by the Special Standing Committee on Emerging Issues in Health Care by a vote of 9 to 0.

This substitute establishes the Missouri Oral Chemotherapy Parity Interim Committee to study the disparity in patient co-payments between orally and intravenously administered chemotherapies, the reasons for the disparity, and the patient benefits in establishing co-payment parity between oral and infused chemotherapy agents. The committee must consider information on the costs or actuarial analysis associated with the delivery of patient oncology treatments. The conclusions of the study must satisfy any statutorily required actuarial analysis.

The committee must consist of the following members:

- (1) Two members of the Senate appointed by the President Pro Tem of the Senate;
- (2) Two members of the House of Representatives appointed by the Speaker of the House of Representatives;
- (3) One member who is an oncologist or physician with expertise in the practice of oncology licensed in this state under Chapter 334, RSMo;
- (4) One member who is an oncology nurse licensed in this state under Chapter 335;
- (5) One member who is a representative of a Missouri pharmacy benefit management company;
- (6) One member from an organization representing licensed pharmacists in this state;
- (7) One member from the business community representing businesses on health insurance issues;
- (8) One member from an organization representing the leading research-based pharmaceutical and biotechnology companies;
- (9) One patient advocate;
- (10) One member from the organization representing a majority of hospitals in this state;

(11) One member from a health carrier as the term is defined under Section 376.1350;

(12) One member from the organization representing a majority of health carriers in this state, as the term is defined under Section 376.1350;

(13) One member from the Leukemia and Lymphoma Society; and

(14) The Director of the Department of Insurance, Financial Institutions and Professional Registration who must chair the committee.

All members, except for the members from the General Assembly, are to be appointed by the Governor by September 1, 2013. The department must provide assistance to the committee. By January 1, 2014, the committee must submit a report to the Governor, Speaker of the House of Representatives, President Pro Tem of the Senate, and the appropriate legislative committee of the General Assembly regarding the results of the study and any legislative recommendations.

PROPOSERS: Supporters say that there are significant differences in the costs of the various cancer treatments. A study committee would be of assistance in addressing the disparity.

Testifying for the bill were Representative Solon; Laura Whitaker; Deb Kersting and Susan Mason, Leukemia and Lymphoma Society; Ross Nichols; American Cancer Society; Missouri Association of Osteopathic Physicians and Surgeons; and BJC HealthCare.

OPPOSERS: Those who oppose the bill say that oral medications are much more expensive and that is why the cost to the consumer is higher. These costs will be born by the state because this is a mandate and under the federal Patient Protection and Affordable Care Act any statutory mandates that result in any increase in costs must be paid for by the state which means Missouri could be forced to pay for the mandate out of the General Revenue Fund.

Testifying against the bill were Coventry Health Care; Missouri Insurance Coalition; Anthem Blue Cross Blue Shield of Missouri; and America's Health Insurance Plans (AHIP).