

## State Corporation Commission 2018 Fiscal Impact Statement

**1. Bill Number:** HB434

**House of Origin**    ☒ Introduced    ☐ Substitute    ☐ Engrossed  
**Second House**    ☐ In Committee    ☐ Substitute    ☐ Enrolled

**2. Patron:** Yancey

**3. Committee:** Commerce and Labor

**4. Title:** Health insurance; coverage for proton therapy

**5. Summary:** Requires any health insurer, corporation, or health maintenance organization issuing an insurance policy, subscription contract, or health care plan to provide coverage for physician-prescribed proton therapy for the treatment of breast, prostate cancer, or other indications under a hypofractionated protocol as part of a clinical trial or registry. The measure specifies the number of treatments for breast or prostate cancer under a hypofractionated proton therapy protocol. The measure specifies the amount payable for proton treatment deliveries at fixed percentages of the amount paid under CPT code 77523 as provided in the Commonwealth's Medicaid fee schedule, in order to provide that the cost of treatment under the hypofractionated proton therapy protocol does not exceed the cost of treatment for the corresponding standard intensity modulated radiation therapy (IMRT) protocol for the same indication. The measure provides that (i) if an insurer, corporation, or health maintenance organization is required to pay more for a course of hypofractionated proton therapy than their present, weighted average payment for a course of IMRT treatment, the insurer, corporation, or health maintenance organization is required to pay to the provider the amount of such average payment for the IMRT treatment and (ii) the provider is authorized to bill the patient for the difference.

**6. Budget Amendment Necessary:** No.

**7. Fiscal Impact Estimates:** Preliminary – see Item 8.

**Expenditure Impact:**

| <i>Fiscal Year</i> | <i>Dollars</i> | <i>Positions</i> | <i>Fund</i> |
|--------------------|----------------|------------------|-------------|
| 2018               | \$0            | 0.00             | -           |
| 2019               | \$11,000       | 0.00             | GF          |
| 2019               | \$11,000       | 0.00             | NGF         |
| 2020               | \$11,000       | 0.00             | GF          |
| 2020               | \$11,000       | 0.00             | NGF         |
| 2021               | \$11,000       | 0.00             | GF          |
| 2021               | \$11,000       | 0.00             | NGF         |
| 2022               | \$11,000       | 0.00             | GF          |
| 2022               | \$11,000       | 0.00             | NGF         |

|      |          |      |     |
|------|----------|------|-----|
| 2023 | \$11,000 | 0.00 | GF  |
| 2023 | \$11,000 | 0.00 | NGF |
| 2024 | \$11,000 | 0.00 | GF  |
| 2024 | \$11,000 | 0.00 | NGF |

- 8. Fiscal Implications:** The estimated cost, provided by Anthem to the Department of Human Resource Management, assumes three percent of cancer patients would participate in the clinical trial. Based on that assumption, the estimated cost is \$0.01 per month for each member, or \$22,000 each year.

The estimated cost to the state health insurance plan is minimal; therefore, a budget amendment is not required.

- 9. Specific Agency or Political Subdivisions Affected:** Department of Human Resource Management and Administration of Health Insurance.

- 10. Technical Amendment Necessary:** No.

- 11. Other Comments:** This bill is similar to House Bill 332 (Yancey).