

State Corporation Commission

2019 Fiscal Impact Statement

1. Bill Number: SB1161

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

2. Patron: Ruff

3. Committee: Commerce and Labor

4. Title: Expedited review of adverse coverage determinations; cancer patients.

5. Summary: Provides that a covered person shall not be required to have exhausted his health carrier's internal appeal process before seeking an external review of an adverse determination regarding coverage of treatment if the treatment is to treat his cancer. The measure also provides that a covered person may request an expedited external review if the adverse determination relates to the treatment of a cancer of the covered person.

6. Budget amendment necessary: No

7. Fiscal Impact Estimates: No Fiscal Impact on the State Corporation Commission

8. Fiscal Implications: None on the State Corporation Commission

9. Specific agency or political subdivisions affected: State Corporation Commission Bureau of Insurance

10. Technical amendment necessary: The new provision in subdivision 3 of subsection B of § 38.2-3561 conflicts with the requirement in subsection A of § 38.2-3560. The State Corporation Commission Bureau of Insurance offered the patron the following technical amendment last year with his identical bill, House Bill 328. It would amend subsection A of § 38.2-3560 as follows:

A. A request for an external review shall not be made until the covered person has exhausted the health carrier's internal appeal process, provided that a covered person's exhaustion of the health carrier's internal appeal process shall not be required if the adverse determination relates to the treatment of a cancer of the covered person.

The second suggested technical amendment would amend existing subdivision 1 of subsection B of § 38.2-3559 to coordinate these provisions with the language proposed on Lines 112 and 117 of Senate Bill 1161 as follows:

1. If the covered ~~person~~ has person's adverse determination involves (i) cancer or (ii) a medical condition where the time frame for completion of an expedited internal appeal of an adverse determination...

11. Other comments: House Bill 1915 is identical to Senate Bill 1161.

Date: 01/24/19/V. Tompkins