

****REVISED****
State Corporation Commission
2018 Fiscal Impact Statement

1. Bill Number: HB435

House of Origin ☒ Introduced ☐ Substitute ☐ Engrossed

Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron: Yancey

3. Committee: Commerce and Labor

4. Title: Expedited external review of adverse health insurance coverage decisions; cancer treatments.

5. Summary: Provides that if an independent review organization conducting an expedited external review fails to make a decision to uphold or reverse a health insurer's adverse determination or final adverse determination regarding coverage for treatment of cancer of the covered person within 72 hours after receiving an eligible request for an expedited external review, the organization shall be deemed to have reversed the adverse determination or final adverse determination denying coverage for the cancer treatment. The measure also provides that if an independent review organization conducts an external review of an experimental or investigational treatment for the cancer of a covered person and fails to make a decision to uphold or reverse the health insurer's determination within the 20-day period allowed for making a decision after receiving opinions from clinical reviewers, the organization shall be deemed to have reversed the insurer's determination denying coverage for the experimental or investigational cancer treatment.

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 State Corporation Commission Bureau of Insurance offered the following technical amendments to the patron of House Bill 435:

- On Line 134 after the word "Commission." insert: If the assigned independent review organization fails to make a decision to uphold or reverse the adverse determination or final adverse determination within 48 hours after the date it receives an opinion from all clinical reviewers, and if the adverse determination or final adverse determination relates to coverage for treatment of cancer of the covered person, the assigned independent review organization shall be deemed to have decided at the end of such 48-hour period to have reversed the adverse determination or final adverse determination. Also on Line 134, after the phrase "If the notice was not in writing," insert "including a decision deemed to have been made by failing to have made a decision within such 48-hour period, within 48 hours after the date of the notice,...

- On Line 293, after “the” strike “20-day period after the date it received an opinion from all clinical reviewers” and insert “timeframe stated in B 8 of this section”
- On Line 298, after “the” strike “20-day period after the date it received an opinion from all clinical reviewers” and insert “timeframe stated in B 8 of this section”

11. Other comments: House Bill 435 is assigned to Subcommittee #2 of House Commerce & Labor.

Date: 01/22/18/V. Tompkins