

LD3226673

## SENATE BILL NO. 830

## AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Finance  
on January 31, 1995)

(Patron Prior to Substitute—Senator Holland, C.A.)

*A BILL to amend and reenact § 2.1-20.1 of the Code of Virginia, as it is currently effective and as it may become effective, relating to state employees; health care coverage; autologous bone marrow transplants.*

**Be it enacted by the General Assembly of Virginia:**

**1. That § 2.1-20.1 of the Code of Virginia, as it is currently effective and as it may become effective, is amended and reenacted as follows:**

§ 2.1-20.1. (For effective date) Health and related insurance for state employees.

A. 1. The Governor shall establish a plan for providing health insurance coverage, including chiropractic treatment, hospitalization, medical, surgical and major medical coverage, for state employees and retired state employees with the Commonwealth paying the cost thereof to the extent of the coverage included in such plan. The Department of Personnel and Training shall administer this section. The plan chosen shall provide means whereby coverage for the families or dependents of state employees may be purchased. The Commonwealth may pay all or a portion of the cost thereof, and for such portion as the Commonwealth does not pay, the employee may purchase the coverage by paying the additional cost over the cost of coverage for an employee.

2. Such contribution shall be financed through appropriations provided by law.

B. 1. ~~Notwithstanding the provisions of § 38.2-3419, the~~ The plan shall include coverage for low-dose screening mammograms for determining the presence of occult breast cancer. Such coverage shall make available one screening mammogram to persons age thirty-five through thirty-nine, one such mammogram biennially to persons age forty through forty-nine, one such mammogram annually to persons age fifty and over and may be limited to a benefit of fifty dollars per mammogram subject to such dollar limits, deductibles, and coinsurance factors as are no less favorable than for physical illness generally. The term "mammogram" shall mean an X-ray examination of the breast using equipment dedicated specifically for mammography, including but not limited to the X-ray tube, filter, compression device, screens, film, and cassettes, with an average radiation exposure of less than one rad mid-breast, two views of each breast.

2. The plan shall include coverage for the treatment of breast cancer by dose-intensive chemotherapy/autologous bone marrow transplants or stem cell transplants when performed pursuant to protocols approved by the institutional review board of any United States medical teaching college, including, but not limited to, National Cancer Institute protocols that have been favorably reviewed and utilized by hematologists or oncologists experienced in dose-intensive chemotherapy/autologous bone marrow transplants or stem cell transplants.

C. Claims incurred during a fiscal year but not reported during that fiscal year shall be paid from such funds as shall be appropriated by law. Appropriations, premiums and other payments shall be deposited in the employee health insurance fund, from which payments for claims, premiums, cost containment programs and administrative expenses shall be withdrawn from time to time. The assets of the fund shall be held for the sole benefit of the employee health insurance program. The fund shall be held in the state treasury. Any interest on unused balances in the fund shall revert back to the credit of the fund.

D. For the purposes of this section, the term "state employee" means state employee as defined in § 51.1-124.3, employee as defined in § 51.1-201, the Governor, Lieutenant Governor and Attorney General, judge as defined in § 51.1-301 and judges, clerks and deputy clerks of regional juvenile and domestic relations, county juvenile and domestic relations, and district courts of the Commonwealth, and interns and residents employed by the Medical College of Virginia of Virginia Commonwealth University and the School of Medicine and Hospital of the University of Virginia.

E. Provisions shall be made for retired employees to obtain coverage under the above plan. The Commonwealth may, but shall not be obligated to, pay all or any portion of the cost thereof.

F. Any self-insured group health insurance plan established by the Department of Personnel and Training which utilizes a network of preferred providers shall not exclude any physician solely on the basis of a reprimand or censure from the Board of Medicine, so long as the physician otherwise meets the plan criteria established by the Department.

§ 2.1-20.1. (Delayed effective date) Health and related insurance for state employees.

A. 1. The Governor shall establish a plan for providing health insurance coverage, including chiropractic treatment, hospitalization, medical, surgical and major medical coverage, for state employees

60 and retired state employees with the Commonwealth paying the cost thereof to the extent of the  
61 coverage included in such plan. The Department of Personnel and Training shall administer this section.  
62 The plan chosen shall provide means whereby coverage for the families or dependents of state  
63 employees may be purchased. The Commonwealth may pay all or a portion of the cost thereof, and for  
64 such portion as the Commonwealth does not pay, the employee may purchase the coverage by paying  
65 the additional cost over the cost of coverage for an employee.

66 2. Such contribution shall be financed through appropriations provided by law.

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74 dedicated specifically for mammography, including but not limited to the X-ray tube, filter, compression  
75 device, screens, film, and cassettes, with an average radiation exposure of less than one rad mid-breast,  
76 two views of each breast.

77 2. *The plan shall include coverage for the treatment of breast cancer by dose-intensive chemotherapy*  
78 *with autologous bone marrow transplants or stem cell support when performed at a clinical program*  
79 *authorized to provide such therapies as a part of clinical trials sponsored by the National Cancer*  
80 *Institute. For persons previously covered under the plan, there shall be no denial of coverage due to the*  
81 *existence of a preexisting condition.*

82 C. Claims incurred during a fiscal year but not reported during that fiscal year shall be paid from  
83 such funds as shall be appropriated by law. Appropriations, premiums and other payments shall be  
84 deposited in the employee health insurance fund, from which payments for claims, premiums, cost  
85 containment programs and administrative expenses shall be withdrawn from time to time. The assets of  
86 the fund shall be held for the sole benefit of the employee health insurance program. The fund shall be  
87 held in the state treasury. Any interest on unused balances in the fund shall revert back to the credit of  
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89 D. For the purposes of this section, the term "state employee" means state employee as defined in  
90 § 51.1-124.3, employee as defined in § 51.1-201, the Governor, Lieutenant Governor and Attorney  
91 General, judge as defined in § 51.1-301 and judges, clerks and deputy clerks of district courts of the  
92 Commonwealth, and interns and residents employed by the Medical College of Virginia of Virginia  
93 Commonwealth University and the School of Medicine and Hospital of the University of Virginia.

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97 Training which utilizes a network of preferred providers shall not exclude any physician solely on the  
98 basis of a reprimand or censure from the Board of Medicine, so long as the physician otherwise meets  
99 the plan criteria established by the Department.

100 **2. That an emergency exists and this act is in force from its passage.**