

State Laws Addressing Third-Party Reimbursement for Clinical Trials for the Treatment of Cancer (Enacted as of December 31, 2006)

State	Bill Number	Qtr.	Year	Coverage Requirements		Third-Party Payers Addressed				Clinical Trial Phases Covered			
				Mandatory Coverage	Mandatory Offer	Private Insurers	Specified Managed Care	Medicaid or State Medical Assistance	Public Employee Health Plans	Phase I	Phase II	Phase III	Phase IV
Arizona	S.B. 1213, c. 371	2	2000	X ¹		X	X			X	X	X	X
California	S.B. 37, c. 172	3	2001	X ²		X	X	X		X	X	X	X
Connecticut	S.B. 325, P.A. 01-171	3	2001	X ³		X						X ³	
Delaware*	S.B. 181, c. 96	3	2001	X		X							
Georgia	S.B. 603, Act 801	2	1998	X ⁴		X	X		X		X	X	
Louisiana	S.B. 761, Act 1357	3	1999	X		X	X		X		X	X	X
Maine*	H.P. 543, L.D. 750, c. 742	2	2000	X		X	X						
Maryland	S.B. 137, c. 118; H.B. 45, c. 119	2	1998	X		X	X			X	X	X	X
Massachusetts	H.B. 4376, c. 257	3	2002	X		X	X			X	X	X	X
Missouri	S.B. 1026	3	2002	X		X	X					X	X
	S.B. 567; S.B. 792	3	2006	X		X	X				X		
Nevada	A.B. 502, c. 515	2	2003	X		X	X				X	X	X
	S.B. 29, c. 440 ⁵	2	2005	X		X	X			X			
New Hampshire	S.B. 409, c. 264 ⁶	2	2000	X		X	X			X	X	X	X
New Mexico	S.B. 240, c. 27	1	2001	X		X	X	X			X	X	X
	S.B. 73, c. 70 ⁷	1	2004	X		X	X	X			X	X	X
North Carolina*	S.B. 199, S.L. 2001-446	4	2001	X		X	X				X	X	X
Rhode Island	S.B. 2623, c. 94-301 ⁸	3	1994	X		X	X					X	X
	S.B. 1, c. 92; H.B. 5062, c. 51 ⁹	3	1997	X		X	X				X		
Tennessee	H.B. 837, c. 424	2	2005	X		X	X			X	X	X	X
Vermont	H.B. 255, Act 10 ¹⁰	2	2001	X		X	X	X					
Virginia	S.B. 1235, c. 643; H.B. 871, c. 649	1	1999	X		X	X		X	X ¹¹	X	X	X
West Virginia	H.B. 2675, c. 119	2	2003	X		X	X	X	X		X	X	X
Wisconsin	A.B. 617, Act 194	1	2006	X		X			X	X	X	X	X

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* Laws in Delaware, Maine, and North Carolina provide coverage of clinical trials for life threatening medical conditions and not specifically for the treatment of cancer.

Note: Because arrangements for the reimbursement of clinical trials for several states fall outside the scope of the State Cancer Legislative Database protocols, those states are not included herein. Michigan and New Jersey, for example, instituted special non-legislative agreements whereby insurers voluntarily cover routine medical care that is part of a clinical trial. According to the state employee benefits handbook, Ohio provides coverage for cancer treatment clinical trials to state employees who are enrolled in the state employee health benefit plan. In Georgia, a non-legislative agreement among a number of private health plans and state-based plans provides coverage for adults and children.

- ¹ Indicated insurers are only obligated to provide coverage for covered patient costs that are directly associated with the clinical trial.
- ² Coverage requirement applies only to routine patient care costs related to cancer clinical trials having a therapeutic purpose, upon recommendation by a treating physician.
- ³ Indicated insurers must provide coverage for routine patient care costs associated with a cancer trial, in certain circumstances. In order to be eligible for coverage, clinical trials for the *prevention of cancer only* must be a Phase III trial that involves a therapeutic intervention and is conducted at multiple institutions under the auspices of an independent peer-reviewed protocol approved by a specified Federal authority.
- ⁴ Coverage requirement applies only to routine patient care costs incurred in connection with clinical trials for the treatment of children's cancer.
- ⁵ S.B. 29, c. 440 applies to policies issued on or after 1-1-06.
- ⁶ Coverage for Phase I and Phase II clinical trials is decided on a case-by-case basis.
- ⁷ This law extends the expiration date of coverage (noted in S.B. 240, c. 27) to 7-1-09.
- ⁸ An expiration date of 12-31-96 subsequently was deleted by S.B. 2392, c. 96-335 (1996).
- ⁹ An expiration date of 12-31-99 subsequently was deleted by S.B. 245, c. 134 (1999).
- ¹⁰ Requires the Department of Banking, Insurance, Securities, and Health Care Administration to issue regulations that specify the requirements for coverage of routine costs for patients who participate in approved cancer clinical trials conducted by specified providers. Coverage requirements are included in Regulation H-2001-04. (H.B. 255 originally provided that coverage would commence on 3-1-02 and continue for three years. The three-year period was subsequently deleted by H.B. 6, Act 3 (2005)).
- ¹¹ Treatment in a Phase I clinical trial may be covered on a case-by-case basis.