

**State Laws Addressing Third-Party Reimbursement for Clinical Trials for the Treatment of Cancer  
(as of September 30, 2007)**

State	Statute	Coverage Requirements			Types of Insurers Covered				Clinical Trial Phases Covered			
		Mandatory Coverage	Mandatory Offer	Prohibits Exclusion of Coverage	Private Insurers	Specified Managed Care	Medicaid/Other Medical Assistance	Public Employee Health Plans	Phase I	Phase II	Phase III	Phase IV
Arizona	ARIZ. REV. STAT. ANN. §§ 20-1342.03, 20-826.01, 20-1057.07, 20-1402.01, 20-1404.01, and 20-2328	X <sup>1</sup>			X	X			X	X	X	X
California	CAL. HEALTH & SAFETY CODE § 1370.6; CAL. INS. CODE § 10145.4; and CAL. WELF. & INST. CODE § 14132.98	X <sup>2</sup>			X	X	X		X	X	X	X
Connecticut	CONN. GEN. STAT. ANN §§ 38a-504a to 38a-504g and 38a-542a to 38a-542g	X <sup>3</sup>			X						X	
Delaware*	DEL. CODE ANN. tit. 18, § 3567	X <sup>4</sup>			X							
Georgia	GA. CODE ANN. § 33-24-59.1	X <sup>5</sup>			X	X		X		X <sup>6</sup>	X <sup>6</sup>	
Louisiana	LA. REV. STAT. ANN. § 22:230.4	X			X	X		X		X	X	X
Maine*	ME. REV. STAT. ANN. tit. 24-A, §§ 4301-A and 4310	X			X	X						
Maryland	MD. CODE ANN., INS. § 15-827	X			X	X			X	X	X	X
Massachusetts	MASS. GEN. LAWS ANN. ch. 175, § 110L	X <sup>4</sup>			X	X			X	X	X	X
Missouri	MO. REV. STAT. § 376.429	X			X	X				X	X	X
Nevada	NEV. REV. STAT. §§ 689A.04033, 689B.0306, 695B.1903, 695C.1693, and 695G.173	X			X	X			X	X	X	X
New Hampshire	N.H. REV. STAT. ANN. § 415:18-I	X <sup>7</sup>			X	X			X	X	X	X
New Mexico	N.M. STAT. ANN. § 59A-22-43	X <sup>4</sup>			X	X	X			X	X	X
North Carolina*	N.C. GEN. STAT. ANN. § 58-3-255	X			X	X				X	X	X
Rhode Island	R.I. GEN. LAWS §§ 27-18-36, 27-18-36.2, 27-19-32 to 27-19-32.3, 27-20-27 to 27-20-27.3, and 27-41-41 to 27-41-41.3	X			X	X				X	X	X
Tennessee	TENN. CODE ANN. § 56-7-2365	X <sup>4</sup>			X	X			X	X	X	X
Vermont	VT. STAT. ANN. tit. 8, § 4088b <sup>8</sup>	X			X	X	X					
Virginia	VA. CODE ANN. §§ 2.2-2818 and 38.2-3418.8	X			X	X		X	X <sup>9</sup>	X	X	X

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West Virginia	W. VA. CODE §§ 5-16-7d, 5-16-7e, 5-16B-6a, 5-16B-6b, 9-2-12, 9-2-12a, 33-25F-1, and 33-25F-2	X <sup>4</sup>			X	X	X	X		X	X	X
Wisconsin	WIS. STAT. ANN. §§ 632.87 and 40.51			X <sup>4</sup>	X			X	X	X	X	X

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.

\* 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.

<sup>1</sup> Indicated insurers are only obligated to provide coverage for covered patient costs that are directly associated with the clinical trial.

<sup>2</sup> Coverage requirement applies only to routine patient care costs related to cancer clinical trials having a therapeutic purpose, upon recommendation by a treating physician.

<sup>3</sup> In order to be eligible for coverage, clinical trials for the *prevention of cancer* 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.

<sup>4</sup> Coverage requirement applies only to clinical trials that have a therapeutic intent.

<sup>5</sup> Coverage requirement applies only to routine patient care costs incurred in connection with clinical trials for the treatment of children's cancer.

<sup>6</sup> Applies only to Phase II or III prescription drug clinical trial programs.

<sup>7</sup> Coverage for Phase I and Phase II clinical trials is decided on a case-by-case basis.

<sup>8</sup> Requires the state 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.

<sup>9</sup> Treatment in a Phase I clinical trial may be covered on a case-by-case basis.