



Reprinted
February 2, 2000

HOUSE BILL No. 1293

DIGEST OF HB 1293 (Updated February 1, 2000 9:22 PM - DI 97)

Citations Affected: IC 5-10; IC 27-8; IC 27-13; noncode.

Synopsis: Colorectal cancer testing. Requires the group self-insurance program for state employees and any contract under which a health maintenance organization (HMO) provides health care services to state employees to provide coverage for colorectal cancer examinations and laboratory tests according to the current guidelines of the American Cancer Society. Requires a group accident and sickness insurance policy to provide coverage for colorectal cancer examinations and laboratory tests according to the current guidelines of the American Cancer Society. Requires a group HMO contract that is employer based to provide colorectal cancer testing as a covered service according to the current guidelines of the American Cancer Society. Provides that an HMO is required only to offer to provide coverage or services for colorectal cancer screenings in the case of group HMO contract that is not employer based.

Effective: July 1, 2000.

**Ruppel, Welch, Ayres, Ulmer,
Crosby, Duncan, Becker, Budak,
Dillon, Kruzan, Goeglein**

January 11, 2000, read first time and referred to Committee on Insurance, Corporations and Small Business.

January 18, 2000, reported — Do Pass. Referred to the Committee on Ways and Means, pursuant to Rule 127.

January 27, 2000, referral to Committee on Ways and Means, pursuant to Rule 127, withdrawn.

February 1, 2000, read second time, amended, ordered engrossed.

HB 1293—LS 7265/DI 77+



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Second Regular Session 111th General Assembly (2000)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1999 General Assembly.

HOUSE BILL No. 1293

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 5-10-8-7.7 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2000]: **Sec. 7.7. (a) As used in this section, "covered individual"**
4 **means an individual who is:**
5 (1) **covered under a self-insurance program established under**
6 **section 7(b) of this chapter to provide group health coverage;**
7 **or**
8 (2) **entitled to services under a contract with a health**
9 **maintenance organization (as defined in IC 27-13-1-19) that**
10 **is entered into or renewed under section 7(c) of this chapter.**
11 **(b) A:**
12 (1) **self-insurance program established under section 7(b) of**
13 **this chapter to provide health care coverage; or**
14 (2) **contract with a health maintenance organization that is**
15 **entered into or renewed under section 7(c) of this chapter;**
16 **must provide coverage for colorectal cancer examinations and**
17 **laboratory tests for cancer for any nonsymptomatic covered**

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1 individual, in accordance with the current American Cancer
2 Society guidelines.

3 (c) For a covered individual who is:

4 (1) at least fifty (50) years of age; or

5 (2) less than fifty (50) years of age and at high risk for
6 colorectal cancer according to the most recent published
7 guidelines of the American Cancer Society;

8 the coverage required by this section must meet the requirements
9 set forth in subsection (d).

10 (d) A covered individual may not be required to pay an
11 additional deductible and coinsurance for the colorectal cancer
12 examination and laboratory testing benefit that is greater than an
13 annual deductible or coinsurance established for similar benefits
14 under the self insurance program or contract with health
15 maintenance organizations. If the program does not cover a
16 similar benefit, the deductible or coinsurance may not be set at a
17 level that materially diminishes the value of the colorectal cancer
18 examination and laboratory testing benefit required by this
19 chapter.

20 SECTION 2. IC 27-8-14.8 IS ADDED TO THE INDIANA CODE
21 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
22 JULY 1, 2000]:

23 **Chapter 14.8. Coverage for Services Related to Colorectal
24 Cancer Screening**

25 **Sec. 1. (a) As used in this chapter, "accident and sickness
26 insurance policy" means an insurance policy that:**

27 (1) provides at least one (1) of the types of insurance described
28 in IC 27-1-5-1, Classes 1(b) and 2(a); and

29 (2) is issued on a group basis.

30 (b) "Accident and sickness insurance policy" does not include
31 a policy providing accident only, credit, dental, vision, Medicare
32 supplement, long-term care, or disability income insurance.

33 **Sec. 2. As used in this chapter, "insured" means an individual
34 who is entitled to coverage under an accident and sickness
35 insurance policy.**

36 **Sec. 3. (a) Except as provided in subsection (g), an insurer shall
37 provide coverage for colorectal cancer examinations and
38 laboratory tests for cancer for any nonsymptomatic insured, in
39 accordance with the current American Cancer Society guidelines,
40 in any accident and sickness insurance policy that the insurer
41 issues in Indiana or issues for delivery in Indiana.**

42 (b) For an insured who is:

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- 1 (1) at least fifty (50) years of age; or
 2 (2) less than fifty (50) years of age and at high risk for
 3 colorectal cancer according to the most recent published
 4 guidelines of the American Cancer Society;

5 the coverage required by subsection (a) must meet the
 6 requirements set forth in subsection (c).

7 (c) An insured may not be required to pay an annual deductible
 8 or coinsurance for the colorectal cancer examination and
 9 laboratory testing benefit that is greater than an annual deductible
 10 or coinsurance established for similar benefits under the accident
 11 and sickness insurance policy. If the policy does not cover a similar
 12 benefit, the deductible or coinsurance may not be set at a level that
 13 materially diminishes the value of the colorectal cancer
 14 examination and laboratory testing benefit required by this
 15 chapter.

16 SECTION 3. IC 27-13-7-17 IS ADDED TO THE INDIANA CODE
 17 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 18 1, 2000]: Sec. 17. (a) As used in this section, "colorectal cancer
 19 testing" means examinations and laboratory tests for cancer for
 20 any nonsymptomatic enrollee, in accordance with the current
 21 American Cancer Society guidelines.

22 (b) Except as provided in subsection (g), a health maintenance
 23 organization issued a certificate of authority in Indiana shall
 24 provide colorectal cancer testing as a covered service under every
 25 group contract that provides coverage for basic health care
 26 services.

27 (c) For an enrollee who is:

- 28 (1) at least fifty (50) years of age; or
 29 (2) less than fifty (50) years of age and at high risk for
 30 colorectal cancer according to the most recent published
 31 guidelines of the American Cancer Society;

32 the colorectal cancer testing required by subsection (b) must meet
 33 the requirements set forth in subsection (d).

34 (d) A covered individual may not be required to pay an
 35 additional deductible and coinsurance for the colorectal cancer
 36 examination and laboratory testing benefit that is greater than an
 37 annual deductible or coinsurance established for similar benefits
 38 under the self insurance program or contract with health
 39 maintenance organizations. If the program does not cover a
 40 similar benefit, the deductible or coinsurance may not be set at a
 41 level that materially diminishes the value of the colorectal cancer
 42 examination and laboratory testing benefit required by this



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1 chapter.

2 (e) Except as provided in subsection (g), the colorectal cancer
3 testing that a health maintenance organization must provide under
4 this section may not be subject to a contract provision that is less
5 favorable to an enrollee than a contract provision applying to
6 physical illness generally under the health maintenance
7 organization contract.

8 (f) Except as provided in subsection (g), the colorectal cancer
9 testing that a health maintenance organization must provide under
10 this section is in addition to services specifically provided for
11 x-rays, laboratory testing, or wellness examinations.

12 (g) In the case of coverage that is not employer based, the health
13 maintenance organization is required only to offer to provide the
14 colorectal cancer testing described in subsections (b) through (f) as
15 a covered service under a proposed group contract providing
16 coverage for basic health care services.

17 SECTION 4. [EFFECTIVE JULY 1, 2000] (a) IC 5-10-8-7.7, as
18 added by this act, applies to a self-insurance program or a contract
19 between the state and a health maintenance organization
20 established, entered into, amended, or renewed after June 30, 2000.

21 (b) IC 27-8-14.8, as added by this act, applies to accident and
22 sickness insurance policies that are issued, delivered, amended, or
23 renewed after June 30, 2000.

24 (c) IC 27-13-7-17, as added by this act, applies to health
25 maintenance organization contracts that are entered into,
26 amended, or renewed after June 30, 2000.

27 (d) This SECTION expires July 1, 2004.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Insurance, Corporations and Small Business, to which was referred House Bill 1293, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

FRY, Chair

Committee Vote: yeas 7, nays 4.

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HOUSE MOTION

Mr. Speaker: I move that House Bill 1293 be amended to read as follows:

Page 2, delete lines 10 through 25.

Page 2, after line 25 , begin a new paragraph and insert:

“(d) A covered individual may not be required to pay an additional deductible and coinsurance for the colorectal cancer examination and laboratory testing benefit that is greater than an annual deductible or coinsurance established for similar benefits under the self insurance program or contract with health maintenance organizations. If the program does not cover a similar benefit, the deductible aor coinsurance may not be set at a level that materially diminishes the value of the colorectal cancer examination and laboratory testing benefic required by this chapter.”

Page 3, delete lines 13 through 19.

Page 3, line 20, delete “(d)” and insert “(c)”.

Page 3, delete lines 29 through 42.

Page 4, delete lines 19 through 25.

Page 4, after line 25 , begin a new paragraph and insert:

d) A covered individual may not be required to pay an additional deductible and coinsurance for the colorectal cancer examination and laboratory testing benefit that is greater than an annual deductible or coinsurance established for similar benefits under the self insurance program or contract with health maintenance organizations. If the program does not cover a similar benefit, the deductible aor coinsurance may not be set at a level that materially diminishes the value of the colorectal cancer examination and laboratory testing benefic required by this chapter.”

(Reference is to HB1293 as printed January 19, 2000.)

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