
SENATE BILL No. 45

DIGEST OF INTRODUCED BILL

Citations Affected: IC 5-10-8-16; IC 27-8-33; IC 27-13-7-21.

Synopsis: Coverage for smoking cessation drugs. Requires a state employee health benefit plan, a policy of accident and sickness insurance, and a health maintenance organization contract that provides coverage for prescription drugs to provide coverage for smoking cessation drugs.

Effective: July 1, 2011.

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January 5, 2011, read first time and referred to Committee on Insurance and Financial Institutions.

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First Regular Session 117th General Assembly (2011)

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 2010 Regular Session of the General Assembly.

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SENATE BILL No. 45



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 5-10-8-16 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2011]: **Sec. 16. (a) This section applies to a state employee health
4 benefit plan that is established, entered into, delivered, amended,
5 or renewed after June 30, 2011.**

6 **(b) As used in this section, "covered individual" means an
7 individual who is entitled to coverage under a state employee
8 health benefit plan.**

9 **(c) As used in this section, "smoking cessation drug" means a
10 prescription drug prescribed to assist an individual in ceasing use
11 of smoking tobacco.**

12 **(d) As used in this section, "state employee health benefit plan"
13 means a:**

14 **(1) self-insurance program established under section 7(b) of
15 this chapter; or**

16 **(2) contract with a prepaid health care delivery plan that is
17 entered into or renewed under section 7(c) of this chapter;**



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to provide group health coverage.

(e) A state employee health benefit plan that provides prescription drug benefits must provide coverage for smoking cessation drugs.

(f) The coverage required under this section may not be subject to dollar limits, deductibles, copayments, or coinsurance provisions that are less favorable to a covered individual than the dollar limits, deductibles, copayments, or coinsurance provisions that apply to prescription drugs generally under the state employee health benefit plan.

SECTION 2. IC 27-8-33 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]:

Chapter 33. Coverage for Smoking Cessation Drugs

Sec. 1. This chapter applies to a policy of accident and sickness insurance that is issued, delivered, amended, or renewed after June 30, 2011.

Sec. 2. As used in this chapter, "covered individual" means an individual who is entitled to coverage under a policy of accident and sickness insurance.

Sec. 3. As used in this chapter, "policy of accident and sickness insurance" has the meaning set forth in IC 27-8-5-1.

Sec. 4. As used in this chapter, "smoking cessation drug" means a prescription drug prescribed to assist an individual in ceasing use of smoking tobacco.

Sec. 5. A policy of accident and sickness insurance that provides prescription drug benefits must provide coverage for smoking cessation drugs.

Sec. 6. The coverage that must be provided under this chapter may not be subject to dollar limits, deductibles, or coinsurance provisions that are less favorable to a covered individual than the dollar limits, deductibles, or coinsurance provisions that apply to prescription drugs generally under the policy of accident and sickness insurance.

SECTION 3. IC 27-13-7-21 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: **Sec. 21. (a) This section applies to an individual contract or a group contract that is entered into, delivered, amended, or renewed after June 30, 2011.**

(b) As used in this section, "smoking cessation drug" means a prescription drug prescribed to assist an individual in ceasing use of smoking tobacco.

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1 (c) An individual contract or a group contract that provides
2 coverage for prescription drugs must provide coverage for
3 smoking cessation drugs.

4 (d) The coverage that must be provided under this section may
5 not be subject to dollar limits, deductibles, or copayment
6 provisions that are less favorable to an enrollee than the dollar
7 limits, deductibles, or copayment provisions that apply to
8 prescription drugs generally under the individual contract or
9 group contract.

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