The Cancer Drug Parity Act
H.R. 1730/S. 741

Request
ONS urges Representatives and Senators to cosponsor and support passage of H.R. 1730/S. 741, the Cancer Drug Parity Act. H.R. 1730 was introduced by Reps. Brian Higgins (D-NY), Brett Guthrie (R-KY), Doris Matsui (D-CA), and Gus Bilirakis (R-FL). S. 741 was introduced by Sens. Tina Smith (D-MN), Jerry Moran (R-KS), Christopher Murphy (D-CT), and Roger Wicker (R-MS).

Background
Under current law, most intravenous (IV) treatments are routinely covered under the medical benefit component of a health insurance plan, while orally-administered anti-cancer medications are usually covered under the prescription drug component, which often results in a considerable disparity in patient out-of-pocket costs. The Cancer Drug Parity Act would remove this disparity, ensuring that medication cost is not a factor in physician and patient decisions. This is especially important as oral chemotherapy is becoming a more common standard of care for cancer patients and many of these oral chemotherapy drugs do not have IV/injectable equivalents. Although 43 states and the District of Columbia have enacted cancer drug parity laws, federal legislation is necessary to ensure that the approximately 150 million people who have large employer group health plans are protected. Such self-insured group health plans are governed by the federal Employee Retirement Income Security Act of 1974 (ERISA) and outside state jurisdiction.

Bill Summary
The legislation would require a group or individual health plan providing benefits with respect to anticancer medications administered by a health care provider to provide no less favorable cost sharing for prescribed, patient-administered anticancer medications used to kill, slow, or prevent the growth of cancerous cells and that have been approved by the Food and Drug Administration (FDA). Such coverage may be subject to the same cost-sharing applicable to anticancer medications administered by a health care provider under the plan. However, the bill would prohibit a health plan from imposing an increase in out-of-pocket costs, reclassifying benefits with respect to anticancer medications, or applying more restrictive limitations on prescribed orally- or intravenously-administered or injected anticancer medications.

Support
The Cancer Drug Parity Act is supported by more than 30 organizations including the Oncology Nursing Society, Leukemia & Lymphoma Society, National Patient Advocate Foundation, Susan G. Komen, and Zero – The End of Prostate Cancer.

Contact
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