

SENATE BILL No. 294

DIGEST OF SB 294 (Updated January 21, 1998 4:04 pm - DI 88)

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

Synopsis: Coverage for breast and prostate cancer screening. Requires coverage by group insurance for public employees, group insurers, and health maintenance organizations to provide for the following: (1) Periodic prostate specific antigen screening in men in certain age and risk groups. (2) An annual mammography to a woman who is at least 40 years of age. (Current law provides this coverage only if the woman is at least 50 years of age.) Requires health maintenance organizations to provide breast cancer mammography screening for women in certain age groups. (Current law requires coverage of breast cancer mammography screening services under group insurance for public employees and group accident and sickness insurance policies issued in Indiana.) Requires coverage by group insurance for public employees, group insurers, and health maintenance organizations to provide for additional mammography views necessary for a physician
(Continued next page)

Effective: July 1, 1998.

Miller, Gard

January 8, 1998, read first time and referred to Committee on Health and Environmental Affairs.
January 22, 1998, amended, reported favorably — Do Pass.

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Digest Continued

to make a proper evaluation and for ultrasound services if those services are determined to be medically necessary by the insured's or enrollee's treating physician.

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January 23, 1998

Second Regular Session 110th General Assembly (1998)

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 1997 General Assembly.

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SENATE BILL No. 294

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 5-10-8-7.2, AS AMENDED BY P.L.26-1994,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 1998]: Sec. 7.2. (a) As used in this section, "breast cancer
4 diagnostic service" means a procedure intended to aid in the diagnosis
5 of breast cancer. The term includes procedures performed on an
6 inpatient basis and procedures performed on an outpatient basis,
7 including the following:
8 (1) Breast cancer screening mammography.
9 (2) Surgical breast biopsy.
10 (3) Pathologic examination and interpretation.
11 (b) As used in this section, "breast cancer outpatient treatment
12 services" means procedures that are intended to treat cancer of the
13 human breast and that are delivered on an outpatient basis. The term
14 includes the following:
15 (1) Chemotherapy.

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- 1 (2) Hormonal therapy.
 2 (3) Radiation therapy.
 3 (4) Surgery.
 4 (5) Other outpatient cancer treatment services prescribed by a
 5 physician.
 6 (6) Medical follow-up services related to the procedures set forth
 7 in subdivisions (1) through (5).

8 (c) As used in this section, "breast cancer rehabilitative services"
 9 means procedures that are intended to improve the results of or to
 10 ameliorate the debilitating consequences of the treatment of breast
 11 cancer and that are delivered on an inpatient or outpatient basis. The
 12 term includes the following:

- 13 (1) Physical therapy.
 14 (2) Psychological and social support services.
 15 (3) Reconstructive plastic surgery.

16 (d) As used in this section, "breast cancer screening mammography"
 17 means a standard, two (2) view per breast, low-dose radiographic
 18 examination of the breasts that is:

- 19 (1) furnished to an asymptomatic woman; and
 20 (2) performed by a mammography services provider using
 21 equipment designed by the manufacturer for and dedicated
 22 specifically to mammography in order to detect unsuspected
 23 breast cancer.

24 The term includes the interpretation of the results of a breast cancer
 25 screening mammography by a physician.

26 (e) As used in this section, "covered individual" means a female
 27 individual who is:

- 28 (1) covered under a self-insurance program established under
 29 section 7(b) of this chapter to provide group health coverage; or
 30 (2) entitled to services under a contract with a health maintenance
 31 organization (as defined in IC 27-13-1-19) that is entered into or
 32 renewed under section 7(c) of this chapter.

33 (f) As used in this section, "mammography services provider" means
 34 an individual or facility that:

- 35 (1) has been accredited by the American College of Radiology;
 36 (2) meets equivalent guidelines established by the state
 37 department of health; or
 38 (3) is certified by the federal Department of Health and Human
 39 Services for participation in the Medicare program (42 U.S.C.
 40 1395 et seq.).

41 (g) As used in this section, "woman at risk" means a woman who
 42 meets at least one (1) of the following descriptions:

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- 1 ~~(1)~~ A woman who has a personal history of breast cancer.
- 2 ~~(2)~~ A woman who has a personal history of breast disease that
- 3 was proven benign by biopsy.
- 4 ~~(3)~~ A woman whose mother, sister, or daughter has had breast
- 5 cancer.
- 6 ~~(4)~~ A woman who is at least thirty (30) years of age and has not
- 7 given birth.
- 8 ~~(h)~~ **(f)** A self-insurance program established under section 7(b) of
- 9 this chapter to provide health care coverage must provide covered
- 10 individuals with coverage for breast cancer diagnostic services, breast
- 11 cancer outpatient treatment services, and breast cancer rehabilitative
- 12 services. The coverage must provide reimbursement for breast cancer
- 13 screening mammography at a level at least as high as:
- 14 (1) the limitation on payment for screening mammography
- 15 services established in 42 CFR 405.534(b)(3) according to the
- 16 Medicare Economic Index at the time the breast cancer screening
- 17 mammography is performed; or
- 18 (2) the rate negotiated by a contract provider according to the
- 19 provisions of the insurance policy;
- 20 whichever is lower. The costs of the coverage required by this
- 21 subsection ~~(h)~~ may be paid by the state or by the employee or by a
- 22 combination of the state and the employee.
- 23 ~~(i)~~ **(g)** A contract with a health maintenance organization that is
- 24 entered into or renewed under section 7(c) of this chapter must provide
- 25 covered individuals with breast cancer diagnostic services, breast
- 26 cancer outpatient treatment services, and breast cancer rehabilitative
- 27 services.
- 28 ~~(j)~~ **(h)** The coverage required by subsection ~~(h)~~ **(f)** and services
- 29 required by subsection ~~(i)~~ **(g)** may not be subject to dollar limits,
- 30 deductibles, or coinsurance provisions that are less favorable to
- 31 covered individuals than the dollar limits, deductibles, or coinsurance
- 32 provisions applying to physical illness generally under the
- 33 self-insurance program or contract with a health maintenance
- 34 organization.
- 35 ~~(k)~~ **(i)** The coverage for breast cancer diagnostic services required
- 36 by subsection ~~(h)~~ **(f)** and the breast cancer diagnostic services required
- 37 by subsection ~~(i)~~ **(g)** must include the following:
- 38 (1) In the case of a covered individual who is at least thirty-five
- 39 (35) years of age but less than forty (40) years of age, at least one
- 40 (1) baseline breast cancer screening mammography performed
- 41 upon the individual before she becomes forty (40) years of age.
- 42 (2) ~~In the case of a covered individual who is~~

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- 1 (A) at least forty (40) but less than fifty (50) years of age and
 2 (B) not a woman at risk;
 3 at least one (1) breast cancer screening mammography performed
 4 upon the individual in every two (2) year period.
 5 (3) In the case of a covered individual who is:
 6 (A) at least forty (40) but less than fifty (50) years of age; and
 7 (B) a woman at risk;
 8 at least one (1) breast cancer screening mammography performed
 9 upon the covered individual every year.
 10 (4) In the case of a covered individual who is at least fifty (50)
 11 **forty (40)** years of age, whether or not a woman at risk, at least
 12 one (1) breast cancer screening mammography performed upon
 13 the individual every year.
 14 **(3) Any additional views that are required for proper**
 15 **evaluation.**
 16 **(4) Ultrasound services, if determined medically necessary by**
 17 **the physician treating the covered individual.**
 18 (†) (k) The coverage for breast cancer diagnostic services required
 19 by subsection (†) (g) and the breast cancer diagnostic services required
 20 by subsection (†) (h) shall be provided in addition to any benefits
 21 specifically provided for x-rays, laboratory testing, or wellness
 22 examinations.
 23 SECTION 2. IC 27-8-14-6 IS AMENDED TO READ AS
 24 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 6. (a) An insurer must
 25 offer to provide coverage for breast cancer screening mammography in
 26 any accident and sickness insurance policy that the insurer issues in
 27 Indiana.
 28 (b) The coverage that an insurer must offer to provide under this
 29 section must include the following:
 30 (1) If the insured is at least thirty-five (35) but less than forty (40)
 31 years of age, coverage for at least one (1) baseline breast cancer
 32 screening mammography performed upon the insured before she
 33 becomes forty (40) years of age.
 34 (2) If the insured is:
 35 (A) at least forty (40) but less than fifty (50) years of age; and
 36 (B) not a woman at risk;
 37 coverage for one (1) breast cancer screening mammography
 38 performed upon the insured in every two (2) year period.
 39 (3) If the insured is:
 40 (A) at least forty (40) but less than fifty (50) years of age; and
 41 (B) a woman at risk;
 42 one (1) breast cancer screening mammography performed upon



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1 ~~the insured every year.~~

2 ~~(4)~~ If the insured is at least ~~fifty (50)~~ **forty (40)** years of age,
3 whether or not at risk, one (1) breast cancer screening
4 mammography performed upon the insured every year.

5 **(3) Any additional views that are required for proper**
6 **evaluation.**

7 **(4) Ultrasound services, if determined medically necessary by**
8 **the physician treating the insured.**

9 (c) The coverage that an insurer must offer to provide under this
10 section must provide reimbursement for breast cancer screening
11 mammography at a level at least as high as:

12 (1) the limitation on payment for screening mammography
13 services established in 42 CFR 405.534(b)(3) according to the
14 Medicare Economic Index at the time the breast cancer screening
15 mammography is performed; or

16 (2) the rate negotiated by a contract provider according to the
17 provisions of the insurance policy;

18 whichever is lower.

19 (d) The coverage that an insurer must offer to provide under this
20 section may not be subject to dollar limits, deductibles, or coinsurance
21 provisions that are less favorable to the insured than the dollar limits,
22 deductibles, or coinsurance provisions applying to physical illness
23 generally under the accident and sickness insurance policy.

24 (e) The coverage that an insurer must offer is in addition to any
25 benefits specifically provided for x-rays, laboratory testing, or wellness
26 examinations.

27 SECTION 3. IC 5-10-8-7.5 IS ADDED TO THE INDIANA CODE
28 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
29 1, 1998]: **Sec. 7.5. (a) As used in this section, "covered individual"**
30 **means an individual who is:**

31 **(1) covered under a self-insurance program established under**
32 **section 7(b) of this chapter to provide group health coverage;**
33 **or**

34 **(2) entitled to services under a contract with a health**
35 **maintenance organization (as defined in IC 27-13-1-19) that**
36 **is entered into or renewed under section 7(c) of this chapter.**

37 **(b) As used in this section, "man at risk" means a man who:**

38 **(1) is African-American; or**

39 **(2) has a family history of prostate cancer.**

40 **(c) As used in this section, "prostate specific antigen test" means**
41 **a standard blood test performed to determine the level of prostate**
42 **specific antigen in the blood.**



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1 (d) A self-insurance program established under section 7(b) of
 2 this chapter to provide health care coverage must provide covered
 3 individuals with coverage for prostate specific antigen testing.

4 (e) A contract with a health maintenance organization that is
 5 entered into or renewed under section 7(c) of this chapter must
 6 provide covered individuals with prostate specific antigen
 7 screening.

8 (f) The coverage required under this section must include the
 9 following:

10 (1) If the covered individual is at least forty (40) years of age
 11 and is a man at risk, coverage for at least one (1) prostate
 12 specific antigen test annually.

13 (2) If the covered individual is at least fifty (50) years of age
 14 and a man, coverage for at least one (1) prostate specific
 15 antigen test annually, regardless of whether the covered
 16 individual is a man at risk.

17 (g) The coverage required under this section may not be subject
 18 to dollar limits, deductibles, copayments, or coinsurance provisions
 19 that are less favorable to covered individuals than the dollar limits,
 20 deductibles, copayments, or coinsurance provisions applying to
 21 physical illness generally under the self-insurance program or
 22 contract with a health maintenance organization.

23 (h) The coverage for prostate specific antigen screening shall be
 24 provided in addition to benefits specifically provided for x-rays,
 25 laboratory testing, or wellness examinations.

26 SECTION 4. IC 27-8-14.7 IS ADDED TO THE INDIANA CODE
 27 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 28 JULY 1, 1998]:

29 **Chapter 14.7. Coverage for Services Related to Prostate Cancer**
 30 **Screening**

31 **Sec. 1.** As used in this chapter, "accident and sickness insurance
 32 policy" means an insurance policy that:

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

35 (2) is issued on a group basis.

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

39 **Sec. 3.** As used in this chapter, "man at risk" means a man who:

40 (1) is African-American; or

41 (2) has a family history of prostate cancer.

42 **Sec. 4.** As used in this chapter, "prostate specific antigen test"



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1 means a standard blood test performed to determine the level of
2 prostate specific antigen in the blood.

3 **Sec. 5. (a) An insurer shall offer to provide coverage for prostate**
4 **specific antigen testing in any accident and sickness insurance**
5 **policy that the insurer issues in Indiana.**

6 **(b) The coverage that an insurer must offer to provide under**
7 **this chapter must include the following:**

8 **(1) If the insured is at least forty (40) years of age and is a**
9 **man at risk, coverage for at least one (1) prostate specific**
10 **antigen test annually.**

11 **(2) If the insured is at least fifty (50) years of age and a man,**
12 **coverage for at least one (1) prostate specific antigen test**
13 **annually, regardless of whether the insured is a man at risk.**

14 **(c) An insured may not be required to pay an annual deductible**
15 **or coinsurance that is greater than an annual deductible or**
16 **coinsurance established for similar benefits under the accident and**
17 **sickness insurance policy. If the policy does not cover a similar**
18 **benefit, the deductible or coinsurance may not be set at a level that**
19 **materially diminishes the value of the prostate specific antigen**
20 **testing benefit required by this chapter.**

21 **(d) The coverage that an insurer must offer to provide under**
22 **this chapter may not be subject to dollar limits, deductibles, or**
23 **coinsurance provisions that are less favorable to the insured than**
24 **the dollar limits, deductibles, or coinsurance provisions applying**
25 **to physical illness generally under the accident and sickness**
26 **insurance policy.**

27 **(e) The coverage that an insurer must offer is in addition to**
28 **benefits specifically provided for x-rays, laboratory testing, or**
29 **wellness examinations.**

30 SECTION 5. IC 27-13-7-15 IS ADDED TO THE INDIANA CODE
31 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
32 1, 1998]: **Sec. 15. (a) As used in this section, "breast cancer**
33 **screening mammography" means a standard, two (2) view per**
34 **breast, low-dose radiographic examination of the breasts that is:**

35 **(1) furnished to an asymptomatic woman; and**

36 **(2) performed by a mammography services provider using**
37 **equipment designed by the manufacturer for and dedicated**
38 **specifically to mammography in order to detect unsuspected**
39 **breast cancer.**

40 **The term includes the interpretation of the results of a breast**
41 **cancer screening mammography by a physician.**

42 **(b) As used in this section, "mammography services provider"**



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- 1 means a person or facility that:
- 2 (1) is accredited by the American College of Radiology;
- 3 (2) meets equivalent guidelines established by the state
- 4 department of health; or
- 5 (3) is certified by the Federal Department of Health and
- 6 Human Services for participation in the Medicare program
- 7 (42 U.S.C. 1395 et seq.).
- 8 (c) A health maintenance organization issued a certificate of
- 9 authority in Indiana shall offer to provide coverage for breast
- 10 cancer screening mammography.
- 11 (d) The coverage that a health maintenance organization must
- 12 offer to provide under this section must include the following:
- 13 (1) If an enrollee is at least thirty-five (35) years of age but
- 14 less than forty (40) years of age, coverage for at least one (1)
- 15 baseline breast cancer screening mammography performed
- 16 upon the enrollee before the enrollee becomes forty (40) years
- 17 of age.
- 18 (2) If the enrollee is at least forty (40) years of age, one (1)
- 19 breast cancer screening mammography performed upon the
- 20 enrollee every year.
- 21 (3) Any additional views that are required for proper
- 22 evaluation.
- 23 (4) Ultrasound services, if determined medically necessary by
- 24 the provider treating the enrollee.
- 25 (e) A health maintenance organization shall offer to provide
- 26 breast cancer screening mammography as a covered service under
- 27 a group contract with the health maintenance organization.
- 28 (f) The coverage that a health maintenance organization must
- 29 offer under this section may not be subject to a contract provision
- 30 that is less favorable to an enrollee than a contract provision
- 31 applying to physical illness generally under the health maintenance
- 32 organization contract.
- 33 (g) The coverage that a health maintenance organization must
- 34 offer under this section is in addition to services specifically
- 35 provided for x-rays, laboratory testing, or wellness examinations.
- 36 SECTION 6. IC 27-13-7-16 IS ADDED TO THE INDIANA CODE
- 37 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 38 1, 1998]: Sec. 16. (a) As used in this section, "man at risk" means
- 39 a man who:
- 40 (1) is African-American; or
- 41 (2) has a family history of prostate cancer.
- 42 (b) As used in this section, "prostate specific antigen test" means



1 a standard blood test performed to determine the level of prostate
2 specific antigen in the blood.

3 (c) A health maintenance organization issued a certificate of
4 authority in Indiana shall offer to provide coverage for prostate
5 specific antigen testing.

6 (d) The coverage that a health maintenance organization must
7 offer to provide under this section must include the following:

8 (1) If the enrollee is at least forty (40) years of age and is a
9 man at risk, coverage for at least one (1) prostate specific
10 antigen test annually.

11 (2) If the enrollee is at least fifty (50) years of age and a man,
12 coverage for at least one (1) prostate specific antigen test
13 annually, regardless of whether the enrollee is a man at risk.

14 (e) A health maintenance organization shall offer to provide
15 prostate specific antigen testing as a covered service under a group
16 contract with the health maintenance organization.

17 (f) The coverage that a health maintenance organization must
18 offer to provide under this section may not be subject to a contract
19 provision that is less favorable to an enrollee than a contract
20 provision applying to physical illness generally under the health
21 maintenance organization contract.

22 (g) The coverage that a health maintenance organization must
23 offer under this section is in addition to services specifically
24 provided for x-rays, laboratory testing, or wellness examinations.

25 SECTION 7. IC 27-8-14-5 IS REPEALED [EFFECTIVE JULY 1,
26 1998].

27 SECTION 8. [EFFECTIVE JULY 1, 1998] (a) IC 5-10-8-7.5, as
28 added by this act, applies to a self insurance program or a contract
29 between the state and a health maintenance organization
30 established, entered into, or renewed after June 30, 1998.

31 (b) IC 27-8-14.7, as added by this act, applies to accident and
32 sickness insurance policies that are issued, delivered or renewed
33 after June 30, 1998.

34 (c) IC 27-13-7-15 and IC 27-13-7-16, both as added by this act,
35 apply to health maintenance organization contracts that are issued,
36 delivered, or renewed after June 30, 1998.

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SENATE MOTION

Mr. President: I move that Senator Gard be added as second author of Senate Bill 294.

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COMMITTEE REPORT

Mr. President: The Senate Committee on Health and Environmental Affairs, to which was referred Senate Bill 294, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 5-10-8-7.2, AS AMENDED BY P.L.26-1994, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 7.2. (a) As used in this section, "breast cancer diagnostic service" means a procedure intended to aid in the diagnosis of breast cancer. The term includes procedures performed on an inpatient basis and procedures performed on an outpatient basis, including the following:

- (1) Breast cancer screening mammography.
- (2) Surgical breast biopsy.
- (3) Pathologic examination and interpretation.

(b) As used in this section, "breast cancer outpatient treatment services" means procedures that are intended to treat cancer of the human breast and that are delivered on an outpatient basis. The term includes the following:

- (1) Chemotherapy.
- (2) Hormonal therapy.
- (3) Radiation therapy.
- (4) Surgery.
- (5) Other outpatient cancer treatment services prescribed by a physician.
- (6) Medical follow-up services related to the procedures set forth in subdivisions (1) through (5).

(c) As used in this section, "breast cancer rehabilitative services" means procedures that are intended to improve the results of or to ameliorate the debilitating consequences of the treatment of breast cancer and that are delivered on an inpatient or outpatient basis. The term includes the following:

- (1) Physical therapy.
- (2) Psychological and social support services.
- (3) Reconstructive plastic surgery.

(d) As used in this section, "breast cancer screening mammography" means a standard, two (2) view per breast, low-dose radiographic examination of the breasts that is:

- (1) furnished to an asymptomatic woman; and
- (2) performed by a mammography services provider using

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equipment designed by the manufacturer for and dedicated specifically to mammography in order to detect unsuspected breast cancer.

The term includes the interpretation of the results of a breast cancer screening mammography by a physician.

(e) As used in this section, "covered individual" means a female individual who is:

- (1) covered under a self-insurance program established under section 7(b) of this chapter to provide group health coverage; or
- (2) entitled to services under a contract with a health maintenance organization (as defined in IC 27-13-1-19) that is entered into or renewed under section 7(c) of this chapter.

(f) As used in this section, "mammography services provider" means an individual or facility that:

- (1) has been accredited by the American College of Radiology;
- (2) meets equivalent guidelines established by the state department of health; or
- (3) is certified by the federal Department of Health and Human Services for participation in the Medicare program (42 U.S.C. 1395 et seq.):

(g) As used in this section, "woman at risk" means a woman who meets at least one (1) of the following descriptions:

- (1) A woman who has a personal history of breast cancer.
- (2) A woman who has a personal history of breast disease that was proven benign by biopsy.
- (3) A woman whose mother, sister, or daughter has had breast cancer.
- (4) A woman who is at least thirty (30) years of age and has not given birth.

(h) (f) A self-insurance program established under section 7(b) of this chapter to provide health care coverage must provide covered individuals with coverage for breast cancer diagnostic services, breast cancer outpatient treatment services, and breast cancer rehabilitative services. The coverage must provide reimbursement for breast cancer screening mammography at a level at least as high as:

- (1) the limitation on payment for screening mammography services established in 42 CFR 405.534(b)(3) according to the Medicare Economic Index at the time the breast cancer screening mammography is performed; or
- (2) the rate negotiated by a contract provider according to the provisions of the insurance policy;

whichever is lower. The costs of the coverage required by this



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subsection ~~(h)~~ may be paid by the state or by the employee or by a combination of the state and the employee.

~~(i)~~ **(g)** A contract with a health maintenance organization that is entered into or renewed under section 7(c) of this chapter must provide covered individuals with breast cancer diagnostic services, breast cancer outpatient treatment services, and breast cancer rehabilitative services.

~~(j)~~ **(h)** The coverage required by subsection ~~(h)~~ **(f)** and services required by subsection ~~(i)~~ **(g)** may not be subject to dollar limits, deductibles, or coinsurance provisions that are less favorable to covered individuals than the dollar limits, deductibles, or coinsurance provisions applying to physical illness generally under the self-insurance program or contract with a health maintenance organization.

~~(k)~~ **(i)** The coverage for breast cancer diagnostic services required by subsection ~~(h)~~ **(f)** and the breast cancer diagnostic services required by subsection ~~(i)~~ **(g)** must include the following:

(1) In the case of a covered individual who is at least thirty-five (35) years of age but less than forty (40) years of age, at least one

(1) baseline breast cancer screening mammography performed upon the individual before she becomes forty (40) years of age.

(2) In the case of a covered individual who is

- (A) at least forty (40) but less than fifty (50) years of age and
(B) not a woman at risk;

at least one (1) breast cancer screening mammography performed upon the individual in every two (2) year period:

(3) In the case of a covered individual who is:

- (A) at least forty (40) but less than fifty (50) years of age; and
(B) a woman at risk;

at least one (1) breast cancer screening mammography performed upon the covered individual every year.

~~(4)~~ In the case of a covered individual who is at least ~~fifty (50)~~ **forty (40)** years of age, whether or not a woman at risk, at least one (1) breast cancer screening mammography performed upon the individual every year.

(3) Any additional views that are required for proper evaluation.

(4) Ultrasound services, if determined medically necessary by the physician treating the covered individual.

~~(l)~~ **(k)** The coverage for breast cancer diagnostic services required by subsection ~~(h)~~ **(g)** and the breast cancer diagnostic services required by subsection ~~(i)~~ **(h)** shall be provided in addition to any benefits

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specifically provided for x-rays, laboratory testing, or wellness examinations.

SECTION 2. IC 27-8-14-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 6. (a) An insurer must offer to provide coverage for breast cancer screening mammography in any accident and sickness insurance policy that the insurer issues in Indiana.

(b) The coverage that an insurer must offer to provide under this section must include the following:

(1) If the insured is at least thirty-five (35) but less than forty (40) years of age, coverage for at least one (1) baseline breast cancer screening mammography performed upon the insured before she becomes forty (40) years of age.

(2) If the insured is:

- (A) at least forty (40) but less than fifty (50) years of age; and
- (B) not a woman at risk;

coverage for one (1) breast cancer screening mammography performed upon the insured in every two (2) year period.

(3) If the insured is:

- (A) at least forty (40) but less than fifty (50) years of age; and
- (B) a woman at risk;

one (1) breast cancer screening mammography performed upon the insured every year.

(4) If the insured is at least ~~fifty (50)~~ **forty (40)** years of age, whether or not at risk, one (1) breast cancer screening mammography performed upon the insured every year.

(3) Any additional views that are required for proper evaluation.

(4) Ultrasound services, if determined medically necessary by the physician treating the insured.

(c) The coverage that an insurer must offer to provide under this section must provide reimbursement for breast cancer screening mammography at a level at least as high as:

(1) the limitation on payment for screening mammography services established in 42 CFR 405.534(b)(3) according to the Medicare Economic Index at the time the breast cancer screening mammography is performed; or

(2) the rate negotiated by a contract provider according to the provisions of the insurance policy;

whichever is lower.

(d) The coverage that an insurer must offer to provide under this section may not be subject to dollar limits, deductibles, or coinsurance



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provisions that are less favorable to the insured than the dollar limits, deductibles, or coinsurance provisions applying to physical illness generally under the accident and sickness insurance policy.

(e) The coverage that an insurer must offer is in addition to any benefits specifically provided for x-rays, laboratory testing, or wellness examinations."

Page 4, delete lines 7 through 8.

Page 4, line 9, delete "(d)" and insert "(c)".

Page 4, line 12, delete "(e)" and insert "(d)".

Page 4, delete lines 19 through 30.

Page 4, line 31, delete "(4)" and insert "(2)".

Page 4, line 31, delete "fifty (50)" and insert "**forty (40)**".

Page 4, line 33, delete ", regardless of whether the enrollee is a" and insert ".".

Page 4, delete line 34, begin a new line block indented and insert:
"**(3) Any additional views that are required for proper evaluation.**

(4) Ultrasound services, if determined medically necessary by the provider treating the enrollee."

Page 4, line 35, delete "(f)" and insert "(e)".

Page 4, line 38, delete "(g)" and insert "(f)".

Page 5, line 1, delete "(h)" and insert "(g)".

Page 5, between lines 34 and 35, begin a new paragraph and insert:
"SECTION 7. IC 27-8-14-5 IS REPEALED [EFFECTIVE JULY 1, 1998]."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to Senate Bill 294 as introduced.)

MILLER, Chairperson

Committee Vote: Yeas 8, Nays 0.

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O
P
Y

