

I Mina'trentai Singko Na Liheslaturan Guåhan
BILL STATUS

BILL NO.	SPONSOR	TITLE	DATE INTRODUCED	DATE REFERRED	CMTE REFERRED	PUBLIC HEARING DATE	DATE COMMITTEE REPORT FILED	FISCAL NOTES	NOTES
302-35 (COR)	Louise B. Muña	AN ACT TO ADD A NEW § 18903 TO ARTICLE 9 OF CHAPTER 18, TITLE 22, GUAM CODE ANNOTATED, AND TO AMEND THE TITLE OF ARTICLE 9 OF CHAPTER 18, TITLE 22, GUAM CODE ANNOTATED, RELATIVE TO PROHIBITING HEALTH INSURANCE COMPANIES FROM CANCELLING OR REDUCING COVERED BENEFITS FOR COVERED PATIENTS WHO ENROLL IN QUALIFIED CLINICAL TRIALS.	2/24/20 9:28 a.m.						

I MINA'TRENTAI SINGKO NA LIHESLATURAN GUÅHAN
2020 (SECOND) Regular Session

Bill No. 30235(COR)
Introduced by:

Louise B. Muña *LB*

AN ACT TO *ADD* A NEW § 18903 TO ARTICLE 9 OF
CHAPTER 18, TITLE 22, GUAM CODE ANNOTATED,
AND TO *AMEND* THE TITLE OF ARTICLE 9 OF
CHAPTER 18, TITLE 22, GUAM CODE ANNOTATED,
RELATIVE TO PROHIBITING HEALTH INSURANCE
COMPANIES FROM CANCELLING OR REDUCING
COVERED BENEFITS FOR COVERED PATIENTS WHO
ENROLL IN QUALIFIED CLINICAL TRIALS.

2020 FEB 24 AM 9:28

1 **BE IT ENACTED BY THE PEOPLE OF GUAM:**

2 **Section 1. Legislative Findings and Intent.** *I Liheslaturan Guåhan* finds that the
3 *Patient Protection and Affordable Care Act* (ACA) provided protection from
4 cancellation of insurance coverage for patients with cancer and other serious
5 illnesses who are enrolled in a clinical trial. Cancellation protection does not
6 include any mandates for coverage of any part of the cost of the clinical trial. The
7 cancellation protection is limited to coverage for routine treatment costs based on
8 the assumption that the patients are not enrolled in clinical trials. Although Guam
9 is covered by the ACA's employer mandate, the Guam Department of Revenue
10 and Taxation concluded that Guam is not subject to the cancellation protections
11 afforded other residents of the United States while enrolled in a clinical trial.

12 It is the intent of *I Liheslatura* to ensure that health insurance companies
13 maintain routine coverage for patients who enroll in a clinical trial.

14
15 **Section 2.** A new § 18903 is *added* to Article 9 of Chapter 18, Title 22, Guam
16 Code Annotated, to read as follows:

1 **§18903. Coverage of Routine Costs of Care During Approved Clinical Trials.**

2 (a) A health insurance company or healthcare plan shall continue coverage of
3 routine costs for any insured during the approved clinical trial.

4 (b) For purposes of this section, routine costs of care include any treatments,
5 procedures, and services the insured may need while participating in the clinical
6 trial that would normally be covered if the insured were not participating in a trial.

7 (c) For purposes of this section, approved clinical trials are designed to study new
8 methods to prevent, detect, or treat cancer or another life-threatening illness. an
9 approved clinical trial must meet any of the following conditions:

10 (1) Be federally approved or funded. This means one (1) or more of the
11 organizations listed below approved or funded the clinical trial.

12 (A) National Institutes of Health (NIH), including organizations under
13 NIH such as the National Cancer Institute (NCI)

14 (B) Organizations funded by the NIH or NCI, including academic
15 institutions, designated cancer centers, and cooperative groups

16 (C) Centers for Disease Control and Prevention (CDC)

17 (D) Agency for Health Care Research and Quality (ARHQ)

18 (E) Center for Medicare and Medicaid Services (CMS)

19 (F) Department of Defense, Department of Veteran Affairs, or the
20 Department of Energy, if the trial is subject to unbiased, scientific
21 review that is similar to NIH requirements

22 (2) Have an investigational new drug application, or

23 (3) Be excused from investigational new drug application requirements.

1 (d) Health insurance companies or healthcare plans are not required to cover the
2 cost of any clinical trials.

3

4 **Section 3.** The Title of Article 9 of Chapter 18, Title 22. Guam Code Annotated is
5 *amended* to read as follows:

6

"Article 9

7

Health Insurance Coverage: ~~Blood and Blood Derivatives~~"