

House Bill 52: An Act Relating to Cancer Detection

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NURS 401: Population Based Nursing Care

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An act relating to coverage for cancer detection, House Bill 52, has been signed. The law aims to increase early detection and save lives by removing financial barriers (Barros, 2024). "Cancer screening, test, or procedure" means any preventive screening, test, or procedure performed for the purpose of detecting cancer, including but not limited to lung, breast, cervical, prostate, and colorectal cancer; and (b) "Health benefit plan" has the same meaning as in KRS 304.17A-005, except that for purposes of this section the term includes: 1. Short-term limited duration coverage; and 2. Student health insurance offered by a Kentucky-licensed insurer under written contract with a university or college whose students it proposes to insure (Commission, 2024).

House Bill 52 creates a new section of Subtitle 17A of KRS Chapter 304 to define "cancer screening, test, or procedure," and to require coverage for certain cancer screenings, tests, and procedures; and amends KRS 18A.225, 164.2871, and 205.522 to require Medicaid, self-insured employer group health plans provided by the governing board of a state postsecondary education institution, and the state employee health plan to comply with the cancer coverage requirement, to provide that various sections apply to health benefit plans issued or renewed on or after January 1, 2025, to establish the construction of certain provisions for purposes of federal law and to require state officials to comply, to require that the Department of Insurance determine whether the coverage requirement for cancer detection

would be in addition to essential health benefits required under federal law, and to require that the Department of Insurance and the Cabinet for Health and Family Services seek federal waivers, if necessary; EFFECTIVE, in part, January 1, 2025 (Commission, 2024).

Except as provided in subsection (3) of this section: (a) All health benefit plans shall provide coverage for: 1. Any cancer screening, test, or procedure that is required under federal law, including but not limited to 42 U.S.C. sec. 300gg-13, as amended; and 2. Any other cancer screening, test, or procedure that is: a. Consistent with nationally recognized clinical practice guidelines, including but not limited to: i. The recommendations of the United States Preventive Services Task Force; ii. Clinical practice guidelines established by the American Cancer Society; and iii. Clinical practice guidelines established by the National Comprehensive Cancer Network; and b. Ordered or prescribed by a health care provider legally authorized to order or prescribe the cancer screening, test, or procedure; and (b) The coverage required under this subsection shall not be subject to: 1. Utilization management requirements, including prior authorization, except for the purpose of determining that the cancer screening, test, or procedure meets the requirements of paragraph (a)2.a. of this subsection; or 2. Any deductible, coinsurance, copayment, or other cost-sharing requirement (Commission, 2024).

House Bill 52 was a Moderate Partisan Bill (Democrats 8-Republicans 2). Deanna Frazier Gordon (R) was the primary sponsor of HB 52. Representatives who cosponsored the bill are Representative Chad Aull [D], Representative Danny Bentley [R], Representative Beverly Chester-Burton [D], Representative Alan Gentry [D], Representative Ruth Palumbo [D], Representative Rachel Roarx [D], Representative Rachel Roberts [D], Representative Sarah Stalker [D], and Representative Lisa Willner [D] (Legiscan, 2024).

01/02/24, introduced in House to Committee on Committees (H) 01/24/24, to Health Services (H) 02/08/24, reported favorably, 1st reading, to Calendar with Committee Substitute (1) 02/09/24, 2nd reading, to Rules 02/27/24, posted for passage in the Regular Orders of the Day for Wednesday, February 28, 2024 02/28/24, 3rd reading, passed 98-0 with Committee Substitute (1) 02/29/24, received in Senate to Committee on Committees (S) 03/06/24, to Banking & Insurance (S) 03/12/24, reported favorably, 1st reading, to Consent Calendar 03/13/24, 2nd reading, to Rules as a consent bill posted for passage in the Consent Orders of the Day for Thursday, March 14, 2024 03/14/24, passed over and retained in the Consent Orders of the Day 03/15/24, passed over and retained in the Consent Orders of the Day 03/21/24, passed over and retained in the Consent Orders of the Day 03/22/24, passed over and retained in the Consent Orders of the Day 03/25/24, passed over and retained in the Consent Orders of the Day 03/26/24,

passed over and retained in the Consent Orders of the Day 3/27/24, 3rd reading, passed 36-1 received in House enrolled, signed by Speaker of the House enrolled, signed by President of the Senate delivered to Governor 04/04/24, signed by Governor (Acts Ch. 75) (Commission, 2024).

This groundbreaking legislation was championed by Representative Deanna Frazier Gordon (R), who says Kentucky bears one of the highest cancer burdens in the U.S. According to Gordon, Kentucky averages 27,000 new cancer cases annually and 10,000 cancer deaths annually (Barros, 2024).



References

- Barros, S. (2024, April 9). *Kentucky governor signs landmark cancer prevention bill into law*. Kentucky Governor Signs Landmark Cancer Prevention Bill Into Law | ZERO Prostate Cancer. <https://zerocancer.org/stay-informed/press-releases/kentucky-governor-signs-landmark-cancer-prevention-bill-law>
- Commission, K. L. R. (2024, September 26). *Kentucky General Assembly*. 24RS HB 52. <https://apps.legislature.ky.gov/record/24RS/hb52.html>
- Legiscan. (2024, April 4). *Kentucky HB52: 2024: Regular session*. LegiScan. <https://legiscan.com/KY/bill/HB52/2024>