



NEW YORK STATE SENATOR

Charles J. Fuschillo Jr.

Senator Fuschillo Announces New Law to Protect Cancer Patients

CHARLES J. FUSCHILLO JR. October 13, 2011

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Law Requires Insurance Companies to Provide Equal Coverage for Oral Chemotherapy

Senator Charles J. Fuschillo, Jr. (R-Merrick) announced that Governor Andrew Cuomo recently signed legislation which would give cancer patients greater access to oral chemotherapy. The law, which Senator Fuschillo supported in the Senate, requires insurance companies to provide the same coverage level for oral chemotherapy as intravenous chemotherapy.

“There is no reason that insurance companies should provide cancer patients with differing coverage for life-saving chemotherapy simply because of the way it is administered. Oral chemotherapy is an easier, more convenient, and in some cases more effective treatment for patients than traditional chemotherapy. This law will ensure that cancer patients do not receive lesser coverage for using this form of treatment,” said Senator Fuschillo, a member of the Senate’s Health Committee.

Oral chemotherapy enables cancer patients to receive chemotherapy by swallowing a pill. This greatly improves the patient’s quality of life, as they can get treatment in the comfort of their own home without having to continually go to a hospital for intravenous treatments. In many cases, patients can take the pill before they go to bed and sleep through the

treatment.

However, many insurance companies classify oral chemotherapy as a prescription drug, rather than a major medical benefit like traditional chemotherapy. Because of this classification, patients wishing to use oral chemotherapy are forced to pay for it as a regular prescription drug. Since oral chemotherapy is not a regular prescription drug, coverage is extremely limited, meaning patients must pay for it out of pocket. Most patients cannot afford to pay the high out of pocket cost for oral chemotherapy, which typically cost hundreds or thousands of dollars every month, and are forced to rely on traditional intravenous chemotherapy.

The new law corrects this inequity by requiring insurance companies to provide the same coverage level for oral chemotherapy as they do for intravenously administered chemotherapy. The law takes effect on January 1st.

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