



Ohio Revised Code

Section 3902.61 Advanced cancer fail first drug coverage prohibitions.

Effective: March 24, 2021

Legislation: Senate Bill 252 - 133rd General Assembly

(A) Notwithstanding section 3901.71 and sections 3901.831 to 3901.833 of the Revised Code, a health benefit plan issued, delivered, or renewed in this state on or after the effective date of this section that directly or indirectly covers the treatment of stage four advanced metastatic cancer shall not make coverage of a drug that is prescribed to treat such cancer or associated conditions dependent upon a covered person demonstrating either of the following:

- (1) Failure to successfully respond to a different drug;
- (2) A history of failing to respond to a different drug or drugs.

(B) Division (A) of this section applies only to uses of such drug or drugs that are consistent with either of the following:

(1) An indication approved by, or described in, as applicable, either of the following for the treatment of stage four advanced metastatic cancer:

- (a) The United States food and drug administration;
- (b) The national comprehensive cancer network drugs and biologics compendium.

(2) The best practices for the treatment of stage four advanced metastatic cancer, as supported by peer-reviewed medical literature.

(C) A violation of this section is an unfair and deceptive practice in the business of insurance under sections 3901.19 to 3901.26 of the Revised Code.
