

**First Regular Session
Seventy-third General Assembly
STATE OF COLORADO**

INTRODUCED

LLS NO. 21-0397.01 Kristen Forrestal x4217

HOUSE BILL 21-1020

HOUSE SPONSORSHIP

McCormick,

SENATE SPONSORSHIP

(None),

House Committees
Health & Insurance

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE STANDARD APPLIED UNDER A HEALTH BENEFIT PLAN**
102 **FOR DETERMINING COVERAGE OF PROTON BEAM THERAPY FOR**
103 **THE TREATMENT OF CANCER.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill prohibits a health benefit plan that provides coverage for cancer treatment from applying a higher standard of clinical evidence for coverage of proton beam therapy than the health benefit plan applies for other radiation therapy treatment.

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **add** 10-16-104.1 as
3 follows:

4 **10-16-104.1. Proton beam therapy treatment - standard of**
5 **clinical evidence - definition.** (1) A CARRIER THAT OFFERS, ISSUES, OR
6 RENEWS A HEALTH BENEFIT PLAN THAT PROVIDES COVERAGE FOR THE
7 TREATMENT OF CANCER SHALL NOT APPLY A HIGHER STANDARD OF
8 CLINICAL EVIDENCE FOR THE COVERAGE OF PROTON BEAM THERAPY THAN
9 THE CARRIER APPLIES FOR THE COVERAGE OF ANY OTHER RADIATION
10 THERAPY TREATMENT.

11 (2) THIS SECTION DOES NOT REQUIRE A HEALTH BENEFIT PLAN TO
12 PROVIDE COVERAGE FOR PROTON BEAM THERAPY.

13 (3) AS USED IN THIS SECTION, "PROTON BEAM THERAPY" MEANS A
14 TYPE OF RADIATION THERAPY AIMED AT DESTROYING CANCEROUS CELLS
15 THROUGH THE USE OF PROTONS.

16 **SECTION 2. Act subject to petition - effective date -**
17 **applicability.** (1) This act takes effect at 12:01 a.m. on the day following
18 the expiration of the ninety-day period after final adjournment of the
19 general assembly; except that, if a referendum petition is filed pursuant
20 to section 1 (3) of article V of the state constitution against this act or an
21 item, section, or part of this act within such period, then the act, item,
22 section, or part will not take effect unless approved by the people at the
23 general election to be held in November 2022 and, in such case, will take
24 effect on the date of the official declaration of the vote thereon by the
25 governor.

1 (2) This act applies to coverage decisions made on or after the
2 applicable effective date of this act.