**South Carolina General Assembly**

124th Session, 2021-2022

**A187, R205, H3775**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Robinson, Dillard, Elliott, Erickson, Parks, Martin, Fry, Matthews, V.S. Moss, G.R. Smith, Brawley, Rose, Stavrinakis and Hill

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Introduced in the House on January 28, 2021

Introduced in the Senate on March 30, 2022

Last Amended on May 10, 2022

Passed by the General Assembly on May 12, 2022

Governor's Action: May 16, 2022, Signed

Summary: Insurance

**HISTORY OF LEGISLATIVE ACTIONS**

 Date Body Action Description with journal page number

 1/28/2021 House Introduced and read first time ([House Journal‑page 35](file:///h%3A%5Chj%5C20210128.docx))

 1/28/2021 House Referred to Committee on **Medical, Military, Public and Municipal Affairs** ([House Journal‑page 35](file:///h%3A%5Chj%5C20210128.docx))

 2/24/2021 House Member(s) request name added as sponsor: Brawley

 3/16/2021 House Member(s) request name added as sponsor: Rose, Stavrinakis

 3/24/2021 House Member(s) request name added as sponsor: Hill

 3/10/2022 House Committee report: Favorable with amendment **Medical, Military, Public and Municipal Affairs**

 3/29/2022 House Amended ([House Journal‑page 50](file:///h%3A%5Chj%5C20220329.docx))

 3/29/2022 House Read second time ([House Journal‑page 50](file:///h%3A%5Chj%5C20220329.docx))

 3/29/2022 House Roll call Yeas‑110 Nays‑0 ([House Journal‑page 51](file:///h%3A%5Chj%5C20220329.docx))

 3/30/2022 House Read third time and sent to Senate ([House Journal‑page 18](file:///h%3A%5Chj%5C20220330.docx))

 3/30/2022 Senate Introduced and read first time ([Senate Journal‑page 4](file:///h%3A%5Csj%5C20220330.docx))

 3/30/2022 Senate Referred to Committee on **Medical Affairs** ([Senate Journal‑page 4](file:///h%3A%5Csj%5C20220330.docx))

 4/5/2022 Senate Recalled from Committee on **Medical Affairs** ([Senate Journal‑page 5](file:///h%3A%5Csj%5C20220405.docx))

 4/5/2022 Senate Committed to Committee on **Banking and Insurance** ([Senate Journal‑page 5](file:///h%3A%5Csj%5C20220405.docx))

 5/4/2022 Senate Recalled from Committee on **Banking and Insurance** ([Senate Journal‑page 9](file:///h%3A%5Csj%5C20220504.docx))

 5/10/2022 Senate Amended

 5/10/2022 Senate Read second time ([Senate Journal‑page 59](file:///h%3A%5Csj%5C20220510.docx))

 5/10/2022 Senate Roll call Ayes‑44 Nays‑0 ([Senate Journal‑page 59](file:///h%3A%5Csj%5C20220510.docx))

 5/11/2022 Senate Read third time and returned to House with amendments ([Senate Journal‑page 13](file:///h%3A%5Csj%5C20220511.docx))

 5/12/2022 House Concurred in Senate amendment and enrolled ([House Journal‑page 76](file:///h%3A%5Chj%5C20220512.docx))

 5/12/2022 House Roll call Yeas‑102 Nays‑0 ([House Journal‑page 77](file:///h%3A%5Chj%5C20220512.docx))

 5/12/2022 Ratified R 205 ([Senate Journal‑page 219](file:///h%3A%5Csj%5C20220512.docx))

 5/16/2022 Signed By Governor

 5/31/2022 Effective date 05/16/22

 5/31/2022 Act No.  187

View the latest [legislative information](http://www.scstatehouse.gov/billsearch.php?billnumbers=3775&session=124&summary=B) at the website

**VERSIONS OF THIS BILL**

[1/28/2021](file:///p%3A%5Cpprever%5C2021-22%5C3775_20210128.docx)

[3/10/2022](file:///p%3A%5Cpprever%5C2021-22%5C3775_20220310.docx)

[3/29/2022](file:///p%3A%5Cpprever%5C2021-22%5C3775_20220329.docx)

[5/4/2022](file:///p%3A%5Cpprever%5C2021-22%5C3775_20220504.docx)

[5/10/2022](file:///p%3A%5Cpprever%5C2021-22%5C3775_20220510.docx)

(A187, R205, H3775)

**AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 38‑71‑144 SO AS TO** **PROVIDE PATIENTS COVERED FOR STAGE FOUR ADVANCED METASTATIC CANCER TREATMENTS UNDER HEALTH BENEFIT PLANS ARE ENTITLED TO CERTAIN EXPEDITED EXTERNAL REVIEWS OF PLAN DENIALS OF CERTAIN DIAGNOSTIC IMAGING SERVICE CLAIMS OR PRIOR AUTHORIZATION REQUESTS BASED UPON ADVERSE MEDICAL NECESSITY DETERMINATIONS, AND TO DEFINE NECESSARY TERMS; AND TO PROVIDE FOR THE APPLICABILITY OF THE PROVISIONS OF THIS ACT TO HEALTH BENEFIT PLANS ISSUED, RENEWED, DELIVERED, OR ENTERED ON OR AFTER THE EFFECTIVE DATE OF THIS ACT.**

Be it enacted by the General Assembly of the State of South Carolina:

**Expedited external reviews of certain health benefit plan cancer diagnostic service denials**

SECTION 1. Article 1, Chapter 71, Title 38 of the 1976 Code is amended by adding:

 “Section 38‑71‑144. (A) For purposes of this section:

 (1) ‘Health benefit plan’ means all individual and group health insurance policies and health maintenance organizations issued, delivered or renewed in this State, to include the State Health Plan, but otherwise not to include the administrative services performed on behalf of a self‑funded plan subject to the Employee Retirement Income Security Act (ERISA) of 1974 or other plans exempted by Section 38‑71‑1920(9).

 (2) ‘Stage four advanced, metastatic cancer’ means cancer that has spread from the primary or original site of the cancer to nearby tissues, lymph nodes, or other areas or parts of the body.

 (3) ‘Recognized diagnostic imaging service’ means a diagnostic imaging service for the diagnosis and treatment of stage four advanced, metastatic cancer for which the National Comprehensive Cancer Network Clinical Practice Guidelines in Oncology provide a uniform consensus that the proposed use of the diagnostic imaging service is appropriate and is supported by peer‑reviewed literature.

 (B) If a health benefit plan that covers the treatment of stage four advanced, metastatic cancer denies a prior authorization request or a claim for a recognized diagnostic imaging service for a covered person’s stage four advanced metastatic cancer based upon an adverse medical necessity determination, then the covered person shall have a right to an expedited external review in accordance with Section 38‑71‑1980.”

**Time effective, applicability**

SECTION 2. This act takes effect upon approval by the Governor, and applies to health benefit plans issued, renewed, delivered, or entered into on or after the effective date of this act.

Ratified the 12th day of May, 2022.

Approved the 16th day of May, 2022.

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