



Senate Fiscal Agency  
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## BILL ANALYSIS



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Senate Bill 738 (as reported without amendment)  
Sponsor: Senator Jeff Irwin  
Committee: Finance, Insurance, and Consumer Protection

**CONTENT**

The bill would amend the Insurance Code to require a health insurer to provide coverage for genetic therapy and immunotherapy used in antineoplastic therapy.

Currently, the code requires insurers that deliver, issue for delivery, or renew a health insurance policy in the State, to provide coverage in each policy for a drug, used in antineoplastic therapy and the reasonable cost of its administration. The bill would require insurers to include genetic therapy and immunotherapy as well as a drug. "Genetic therapy and immunotherapy" would include CAR-T cell therapy.

**BRIEF RATIONALE**

Public Act (PA) 276 of 2016 requires an insurer to provide coverage for a drug used in cancer therapy and the reasonable cost of its administration. According to testimony, some cancer patients' treatments are delayed or they are told that gene therapy is not covered under PA 276. Bulletin 2024-01-INS, issued by the Department of Insurance and Financial Services (DIFS), reminds issuers that DIFS will disapprove any health insurance policy that limits or restricts coverage for cancer therapies like CAR T-cell therapy; the therapy is a process in which a person's T-cells (specific types of white blood cells) are genetically modified in a laboratory to be better at finding and destroying cancerous cells when returned to the person's body.<sup>1</sup> It has been suggested that the DIFS bulletin be codified in State law.

MCL 500.3406e

**FISCAL IMPACT**

The bill would have no fiscal impact on the State or local government.

Date Completed: 12-11-24

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<sup>1</sup> "Immunotherapy", American Cancer Society, [www.cancer.org/cancer/managing-cancer/treatmenttypes/immunotherapy.html](http://www.cancer.org/cancer/managing-cancer/treatmenttypes/immunotherapy.html). Retrieved 9-24-24.