

SENATE FILE NO. _____

Health insurance-medical trials.

Sponsored by: Joint Labor, Health and Social Services
Interim Committee

A BILL

for

1 AN ACT relating to insurance; prohibiting clauses in
2 insurance policies excluding coverage for losses caused by
3 the insured's receipt of experimental treatment as
4 specified; providing a definition; providing an exception;
5 and providing for an effective date.

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7 *Be It Enacted by the Legislature of the State of Wyoming:*

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9 **Section 1.** W.S. 26-15-137 is created to read:

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11 **26-15-137. Experimental treatment exclusion clauses;**
12 **prohibition.**

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14 (a) No policy or certificate of insurance that is
15 delivered, issued for delivery, or renewed in this state
16 after June 30, 2007, including those issued by a health

1 maintenance organization authorized pursuant to chapter 34
2 of this title, shall exclude the payment of benefits
3 incurred because the medical treatment of the insured or
4 certificate holder is determined to be experimental
5 treatment or treatment given in the course of a clinical
6 trial.

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8 (b) For purposes of this section, "experimental
9 treatment or treatment given in the course of a clinical
10 trial" means treatment that is not commonly used for a
11 particular condition or illness but that is recognized as a
12 scientifically valid subject for research in the treatment
13 of the particular condition or illness and there is no
14 clearly superior, nonexperimental treatment alternative
15 available to the insured or certificate holder.

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17 (c) Nothing in this section precludes an insurer from
18 excluding coverage for any claim arising from the practice
19 of medicine or other health care by a person without an
20 applicable physician or health care provider license.

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22 **Section 2.** This act is effective July 1, 2007.

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(END)