

(2) HEALTH MAINTENANCE ORGANIZATIONS THAT PROVIDE HOSPITAL, MEDICAL, SURGICAL, OR PHARMACEUTICAL BENEFITS TO INDIVIDUALS OR GROUPS UNDER CONTRACTS THAT ARE ISSUED OR DELIVERED IN THE STATE.

(C) THIS SECTION DOES NOT APPLY TO A POLICY, PLAN, OR CONTRACT PAID FOR UNDER TITLE XVIII OR TITLE XIX OF THE SOCIAL SECURITY ACT.

~~(C) A POLICY OR PLAN SUBJECT TO THIS SECTION SHALL PROVIDE COVERAGE FOR ALL PATIENT COSTS INCURRED AS A RESULT OF A TREATMENT BEING PROVIDED IN ACCORDANCE WITH A CLINICAL TRIAL FOR A LIFE-THREATENING, DEGENERATIVE, OR PERMANENTLY DISABLING CONDITION OR A CONDITION ASSOCIATED WITH OR A COMPLICATION OF A LIFE-THREATENING, DEGENERATIVE, OR PERMANENTLY DISABLING CONDITION TO THE EXTENT SUCH COSTS WOULD BE COVERED FOR NONINVESTIGATIONAL TREATMENTS IF:~~

~~(1) THE TREATMENT IS BEING PROVIDED WITH A THERAPEUTIC OR PALLIATIVE INTENT;~~

(D) A POLICY, PLAN, OR CONTRACT SUBJECT TO THIS SECTION SHALL PROVIDE COVERAGE FOR PATIENT COST TO A MEMBER IN A CLINICAL TRIAL, AS A RESULT OF:

(1) TREATMENT PROVIDED FOR A LIFE-THREATENING CONDITION; OR

(2) PREVENTION, EARLY DETECTION, AND TREATMENT STUDIES ON CANCER

(E) THE COVERAGE UNDER SUBSECTION (D) OF THIS SECTION SHALL BE REQUIRED IF:

(1) (I) THE TREATMENT IS BEING PROVIDED OR THE STUDIES ARE BEING CONDUCTED IN A PHASE I, PHASE II, PHASE III, OR PHASE IV CLINICAL TRIAL FOR CANCER; OR

(II) THE TREATMENT IS BEING PROVIDED IN A PHASE II, PHASE III, OR PHASE IV CLINICAL TRIAL FOR ANY OTHER LIFE-THREATENING CONDITION;

(2) THE TREATMENT IS BEING PROVIDED IN ACCORDANCE WITH A CLINICAL TRIAL APPROVED BY:

(I) ONE OF THE NATIONAL INSTITUTES OF HEALTH;

(II) AN NIH COOPERATIVE GROUP OR AN NIH CENTER;

(III) THE FDA IN THE FORM OF AN INVESTIGATIONAL NEW DRUG APPLICATION;

(IV) THE FEDERAL DEPARTMENT OF VETERANS AFFAIRS;

~~(V) A QUALIFIED RESEARCH ENTITY THAT MEETS CRITERIA FOR NIH CENTER-SUPPORT GRANT ELIGIBILITY; OR~~

~~(VI) A PANEL OF QUALIFIED RECOGNIZED EXPERTS IN CLINICAL RESEARCH WITHIN ACADEMIC HEALTH INSTITUTIONS IN THIS STATE;~~