

117TH CONGRESS
1ST SESSION

H. R. 238

To amend title XXVII of the Public Health Service Act to require group health plans and health insurance issuers offering group or individual health insurance coverage to provide benefits for lung cancer screenings for certain individuals without the imposition of cost sharing.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 11, 2021

Mr. BRENDAN F. BOYLE of Pennsylvania (for himself, Mr. DeSAULNIER, and Mr. LOWENTHAL) introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To amend title XXVII of the Public Health Service Act to require group health plans and health insurance issuers offering group or individual health insurance coverage to provide benefits for lung cancer screenings for certain individuals without the imposition of cost sharing.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Katherine’s Lung Can-
5 cer Early Detection and Survival Act of 2021”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) Lung cancer is the number 1 killer of all
2 cancers.

3 (2) Lung cancer causes more deaths than pros-
4 tate cancer, breast cancer, and colorectal cancer
5 combined.

6 (3) The reason for the extremely low 5-year
7 survival rate in lung cancer patients is the difficulty
8 to find it at early stages (as patients have no symp-
9 toms at early stages).

10 (4) For all stages of lung cancer, the overall 5-
11 year survival rate is 19 percent, while such rate is
12 98 percent for prostate cancer and 90 percent for
13 breast cancer (all stages).

14 (5) Early detection of lung cancer through
15 screening could dramatically increase survival rates
16 for patients.

17 (6) Current law mandates free screening for
18 breast cancer, prostate cancer, and colorectal cancer
19 at much earlier ages than for lung cancer, regardless
20 of preexisting conditions of the individual to be
21 screened.

22 (7) Free screening starts at age 40 for breast
23 cancer but for lung cancer does not start until age
24 55, and then and only for those with a history of
25 smoking thirty or more packs of cigarettes per year.

1 (8) This Act would save lives and money
2 through early detection of lung cancer by starting
3 free screening at age 40.

4 **SEC. 3. REQUIRING COVERAGE OF LUNG CANCER**
5 **SCREENINGS FOR CERTAIN INDIVIDUALS**
6 **WITHOUT COST SHARING.**

7 (a) IN GENERAL.—Section 2713(a) of the Public
8 Health Service Act (42 U.S.C. 300gg–13(a)) is amend-
9 ed—

10 (1) in paragraph (2), by striking “and” at the
11 end;

12 (2) in paragraph (3), by striking the period at
13 the end and inserting a semicolon;

14 (3) in paragraph (4), by striking the period at
15 the end and inserting “; and”;

16 (4) by redesignating paragraph (5) as para-
17 graph (6); and

18 (5) by inserting after paragraph (4) the fol-
19 lowing new paragraph:

20 “(5) with respect to individuals 40 years of age
21 or older, lung cancer screenings, regardless of the
22 smoking history (if any) of such an individual.”.

1 (b) EFFECTIVE DATE.—The amendments made by
2 subsection (a) shall apply with respect to plan years begin-
3 ning on or after January 1, 2022.

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