

116TH CONGRESS  
2D SESSION

# S. 4355

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.

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## IN THE SENATE OF THE UNITED STATES

JULY 29, 2020

Ms. SMITH introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## 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 2020”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1           (1) Among cancers, lung cancer is the number  
2           1 killer.

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 individuals with a history  
25          of smoking 30 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, 2021.

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