

OFF-LABEL DRUG USE MODEL ACT

What are the state pages?

This chart is intended to provide readers with additional information to more easily access state statutes, regulations, bulletins or administrative rulings related to the NAIC model. Such guidance provides readers with a starting point from which they may review how each state has addressed the model and the topic being covered. The NAIC Legal Division has reviewed each state's activity in this area and has determined whether the citation most appropriately fits in the Model Adoption column, Previous Version column, or Related Activity column based on the definitions listed in the key below. The NAIC's interpretation may or may not be shared by the individual states or by interested readers.

How do you use them?

States and territories are listed alphabetically in the chart. Locate the state or territory you are interested in, and depending on which column the citation falls under, you will know whether the NAIC Legal Division has deemed a state's law to be adoption of a model or not. To perform further research, use the citations to locate state laws.

Who do I speak to if I have questions?

If you have questions or believe information related to a state should be updated, please contact Jennifer Neuerburg at jneuerburg@naic.org.

Disclaimer: *This chart does not constitute a formal legal opinion by the NAIC staff on the provisions of state law and should not be relied upon as such. Nor does this state page reflect a determination as to whether a state meets any applicable accreditation standards. Every effort has been made to provide correct and accurate summaries to assist readers in locating useful information. Readers should consult state law for further details and for the most current information.*

OFF-LABEL DRUG USE MODEL ACT

STATE PAGE KEY:

MODEL ADOPTION: States that have citations identified in this column adopted the most recent version of the NAIC model in a **substantially similar manner**. This requires states to adopt the model in its entirety but does allow for variations in style and format. States that have adopted portions of the current NAIC model will be included in this column with an explanatory note.

PREVIOUS VERSION: States that have citations identified in this column (and nothing listed in the Model Adoption column) have enacted an older version of the model but have **not** adopted the most recent version of the NAIC model.

RELATED ACTIVITY: Examples of Related Activity include but are not limited to statutes or regulations addressing the same subject matter, or other administrative guidance such as bulletins and notices. States that have citations identified in this column (and nothing listed in the Model Adoption column) have **not** adopted the most recent version of the NAIC model in a **substantially similar manner**.

NO CURRENT ACTIVITY: No state activity on the topic as of the date of the most recent update. This includes states that have repealed legislation as well as states that have never adopted legislation.

NAIC MEMBER	MODEL ADOPTION	PREVIOUS VERSION	RELATED ACTIVITY
Alabama			ALA. CODE § 27-1-10.1 (1994).
Alaska	NO CURRENT ACTIVITY		
American Samoa	NO CURRENT ACTIVITY		
Arizona			ARIZ. REV. STAT. ANN. § 20-2326 (2000) (accountable health plans) (cancer drugs).
Arkansas			ARK. CODE ANN. § 23-79-147 (1995/1999) (cancer drugs).
California			CAL. INS. CODE § 10123.195 (1992); CAL. HEALTH & SAFETY CODE § 1367.21 (1992) (health care service plans).
Colorado			COLO. REV. STAT. ANN. § 10-16-104.6 (2010) (cancer drugs).

OFF-LABEL DRUG USE MODEL ACT

NAIC MEMBER	MODEL ADOPTION	PREVIOUS VERSION	RELATED ACTIVITY
Connecticut			CONN. GEN. STAT. § 38a-492b; § 38a-518b (1994) (cancer drugs).
Delaware	NO CURRENT ACTIVITY		
District of Columbia	NO CURRENT ACTIVITY		
Florida			FLA. STAT. § 627.4239 (1995) (cancer drugs).
Georgia			GA. CODE ANN. § 33-53-2 (1993) (cancer drugs); § 33-24-59.11 (2003) (drugs used for life-threatening illness).
Guam	NO CURRENT ACTIVITY		
Hawaii	NO CURRENT ACTIVITY		
Idaho	NO CURRENT ACTIVITY		
Illinois			215 ILL. COMP. STAT. 5/356z.7 (1992) (cancer drugs for group policies).
Indiana			IND. CODE §§ 27-8-20-1 to 27-8-20-9 (1993).
Iowa	NO CURRENT ACTIVITY		
Kansas			KAN. STAT. ANN. §§ 40-2,167 to 40-2,170 (1999) (cancer drugs).
Kentucky	NO CURRENT ACTIVITY		
Louisiana			LA. REV. STAT. ANN. § 22:999 (2011) (cancer drugs).

OFF-LABEL DRUG USE MODEL ACT

NAIC MEMBER	MODEL ADOPTION	PREVIOUS VERSION	RELATED ACTIVITY
Maine			ME. REV. STAT. ANN. tit. 24, § 2320-F (1997); § 2320-G (1999) (HIV); §2745-E (1997); § 2745-F (1999) (individual); § 2837-F (1997); 2837-G (1999) (group); § 4234-D (1997); § 4234-E (1997) (HMOs) (cancer and HIV drugs).
Maryland			MD. CODE ANN., INS. § 15-804 (1994/1997).
Massachusetts			MASS. GEN. LAWS ch. 175, §§ 47K to 47L (1992) (cancer drugs); §§ 47O to 47P (1994) (AIDS drugs).
Michigan			MICH. COMP. LAWS § 500.3406q (2002); § 550.1416c (2002).
Minnesota			MINN. STAT. § 62Q. 525 (1999) (cancer drugs).
Mississippi			MISS. CODE ANN. § 83-9-8 (1997) (cancer drugs).
Missouri			MO. REV. STAT. § 376.429 (2002) (cancer drugs as part of a clinical study).
Montana	NO CURRENT ACTIVITY		
Nebraska	NO CURRENT ACTIVITY		
Nevada			NEV. REV. STAT. § 689A.0404 (1999) (cancer drugs).
New Hampshire			N.H. REV. STAT. ANN. § 415:6-g (1999); § 415:18-j (1999).

OFF-LABEL DRUG USE MODEL ACT

NAIC MEMBER	MODEL ADOPTION	PREVIOUS VERSION	RELATED ACTIVITY
New Jersey			N.J. STAT. ANN. § 17:48-6h (1993); § 17:48A-7g (1993); § 17:48E-35.5 (1993); § 17B:26-2.1g (1993); § 17B:27-46.1g (1993).
New Mexico	NO CURRENT ACTIVITY		
New York	NO CURRENT ACTIVITY		
North Carolina			N.C. GEN. STAT. § 58-51-59 (1993) (cancer treatment); § 58-65-94 (1993) (cancer treatment); § 58-67-78 (1993) (cancer treatment).
North Dakota			N.D. CENT. CODE § 26.1-36-06.1 (1997).
Northern Marianas	NO CURRENT ACTIVITY		
Ohio			OHIO REV. CODE ANN. § 3923.60 (2011); § 1751.66 (2011) (cancer drugs); § 1753.23 (1997).
Oklahoma	NO CURRENT ACTIVITY		OKLA. STAT. ANN. tit. 63, § 1-2605 (1993) (cancer treatment).
Oregon			OR. REV. STAT. § 743A.062 (1997).
Pennsylvania	NO CURRENT ACTIVITY		
Puerto Rico			26 P.R. LAWS §§ 9981 to 9984 (2011).
Rhode Island			R.I. GEN. LAWS §§ 27-55-1 to 27-55-3 (1994) (cancer drugs).

OFF-LABEL DRUG USE MODEL ACT

NAIC MEMBER	MODEL ADOPTION	PREVIOUS VERSION	RELATED ACTIVITY
South Carolina			S.C. CODE ANN. § 38-71-275 (1996) (cancer drugs).
South Dakota			S.D. CODIFIED LAWS § 58-17-101 (2000) (cancer or life threatening illness).
Tennessee			TENN. CODE ANN. § 56-7-2352 (1997).
Texas			TEX. INS. CODE ANN. §§ 1369.001 to 1369.005 (2005); 28 TEX. ADMIN. CODE §§ 21.3010 to 21.3011 (2000).
Utah	NO CURRENT ACTIVITY		
Vermont			VT. STAT. ANN. tit. 8, § 4100e (2005).
Virgin Islands	NO CURRENT ACTIVITY		
Virginia			VA. CODE ANN. § 38.2-3407.5 (1995/1997).
Washington			WASH. ADMIN. CODE 284-30-450 (1994).
West Virginia	NO CURRENT ACTIVITY		
Wisconsin	NO CURRENT ACTIVITY		
Wyoming	NO CURRENT ACTIVITY		