

2014 -- S 2512

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2014

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A N A C T

RELATING TO INSURANCE - ACCIDENT AND SICKNESS INSURANCE POLICIES

Introduced By: Senators Goldin, Cool Rumsey, Pearson, Archambault, and Satchell

Date Introduced: February 27, 2014

Referred To: Senate Health & Human Services

It is enacted by the General Assembly as follows:

1 SECTION 1. Chapter 27-18 of the General Laws entitled "Accident and Sickness
2 Insurance Policies" is hereby amended by adding thereto the following section:

3 **27-18-82. Health insurance contracts - Full year coverage for contraception. – (a)**
4 Beginning on the first day of each plan year after July 1, 2014, every health insurance issuer
5 offering group or individual health insurance coverage that covers prescription contraception
6 shall not restrict reimbursement for dispensing a covered prescription contraceptive to fewer than
7 three hundred sixty-five (365) days at a time.

8 (b) Subsection (a) shall not apply to self-insured employee welfare benefit plans
9 established pursuant to the Federal Employee Retirement Income Security Act of 1974.

10 (c) Nothing in this section shall be construed as requiring a health insurance carrier to
11 cover any prescription contraceptive that it does not currently cover or require any pharmacy to
12 dispense any medication that it does not currently dispense.

13 (d) This section shall be applicable to all contracts, plans, or policies of:

14 (1) All health insurers subject to this title;

15 (2) All group and blanket health insurers subject to this title;

16 (3) All nonprofit hospital, medical, surgical, dental, and health service corporations;

17 (4) All health maintenance organizations; and

18 (5) Any provision of medical, hospital, surgical, and funeral benefits, and of coverage
19 against accidental death or injury, when the benefits or coverage are incidental to or part of other

1 [insurance authorized by the statutes of this state.](#)

2 SECTION 2. Chapter 27-19 of the General Laws entitled "Nonprofit Hospital Service
3 Corporations" is hereby amended by adding thereto the following section:

4 **27-19-73. Health insurance contracts - Full year coverage for contraception. -- (a)**
5 [Beginning on the first day of each plan year after July 1, 2014, every health insurance issuer](#)
6 [offering group or individual health insurance coverage that covers prescription contraception](#)
7 [shall not restrict reimbursement for dispensing a covered prescription contraceptive to fewer than](#)
8 [three hundred sixty-five \(365\) days at a time.](#)

9 [\(b\) Subsection \(a\) shall not apply to self-insured employee welfare benefit plans](#)
10 [established pursuant to the Federal Employee Retirement Income Security Act of 1974.](#)

11 [\(c\) Nothing in this section shall be construed as requiring a health insurance carrier to](#)
12 [cover any prescription contraceptive that it does not currently cover or require any pharmacy to](#)
13 [dispense any medication that it does not currently dispense.](#)

14 [\(d\) This section shall be applicable to all contracts, plans, or policies of:](#)

15 [\(1\) All health insurers subject to this title;](#)

16 [\(2\) All group and blanket health insurers subject to this title;](#)

17 [\(3\) All nonprofit hospital, medical, surgical, dental, and health service corporations;](#)

18 [\(4\) All health maintenance organizations; and](#)

19 [\(5\) Any provision of medical, hospital, surgical, and funeral benefits, and of coverage](#)
20 [against accidental death or injury, when the benefits or coverage are incidental to or part of other](#)
21 [insurance authorized by the statutes of this state.](#)

22 SECTION 3. Chapter 27-20 of the General Laws entitled "Nonprofit Medical Service
23 Corporations" is hereby amended by adding thereto the following section:

24 **27-20-69. Health insurance contracts - Full year coverage for contraception. -- (a)**
25 [Beginning on the first day of each plan year after July 1, 2014, every health insurance issuer](#)
26 [offering group or individual health insurance coverage that covers prescription contraception](#)
27 [shall not restrict reimbursement for dispensing a covered prescription contraceptive to fewer than](#)
28 [three hundred sixty-five \(365\) days at a time.](#)

29 [\(b\) Subsection \(a\) shall not apply to self-insured employee welfare benefit plans](#)
30 [established pursuant to the Federal Employee Retirement Income Security Act of 1974.](#)

31 [\(c\) Nothing in this section shall be construed as requiring a health insurance carrier to](#)
32 [cover any prescription contraceptive that it does not currently cover or require any pharmacy to](#)
33 [dispense any medication that it does not currently dispense.](#)

34 [\(d\) This section shall be applicable to all contracts, plans, or policies of:](#)

- 1 [\(1\) All health insurers subject to this title;](#)
- 2 [\(2\) All group and blanket health insurers subject to this title;](#)
- 3 [\(3\) All nonprofit hospital, medical, surgical, dental, and health service corporations;](#)
- 4 [\(4\) All health maintenance organizations; and](#)
- 5 [\(5\) Any provision of medical, hospital, surgical, and funeral benefits, and of coverage](#)
- 6 [against accidental death or injury, when the benefits or coverage are incidental to or part of other](#)
- 7 [insurance authorized by the statutes of this state.](#)

8 SECTION 4. Chapter 27-41 of the General Laws entitled "Health Maintenance
9 Organizations" is hereby amended by adding thereto the following section:

10 **27-41-86. Health insurance contracts - Full year coverage for contraception. -- (a)**
11 [Beginning on the first day of each plan year after July 1, 2014, every health insurance issuer](#)
12 [offering group or individual health insurance coverage that covers prescription contraception](#)
13 [shall not restrict reimbursement for dispensing a covered prescription contraceptive to fewer than](#)
14 [three hundred sixty-five \(365\) days at a time.](#)

15 [\(b\) Subsection \(a\) shall not apply to self-insured employee welfare benefit plans](#)
16 [established pursuant to the Federal Employee Retirement Income Security Act of 1974.](#)

17 [\(c\) Nothing in this section shall be construed as requiring a health insurance carrier to](#)
18 [cover any prescription contraceptive that it does not currently cover or require any pharmacy to](#)
19 [dispense any medication that it does not currently dispense.](#)

20 [\(d\) This section shall be applicable to all contracts, plans, or policies of:](#)

- 21 [\(1\) All health insurers subject to this title;](#)
- 22 [\(2\) All group and blanket health insurers subject to this title;](#)
- 23 [\(3\) All nonprofit hospital, medical, surgical, dental, and health service corporations;](#)
- 24 [\(4\) All health maintenance organizations; and](#)
- 25 [\(5\) Any provision of medical, hospital, surgical, and funeral benefits, and of coverage](#)
- 26 [against accidental death or injury, when the benefits or coverage are incidental to or part of other](#)
- 27 [insurance authorized by the statutes of this state.](#)

28 SECTION 5. Chapter 42-12.3 of the General Laws entitled "Health Care for Children and
29 Pregnant Women" is hereby amended by adding thereto the following section:

30 **42-12.3-3.1. Medical assistance expansion for women - Full year coverage for**
31 **contraception. -- (a) By one hundred eighty (180) days from July 1, 2014, the department of**
32 **human services shall develop and implement a system by which the Medicaid program**
33 **reimburses for, and Medicaid pharmacies dispense:**

- 34 [\(1\) Twelve \(12\) months of prescription contraception at a time to enrollees with a valid](#)

1 prescription for twelve (12) months of contraception; or
2 (2) As many months of prescription contraception as there is a valid prescription for, up
3 to twelve (12) months.

4 (b) This section shall apply to all Medicaid programs, including managed care.

5 (c) The department of human services may issue rules and regulations to implement the
6 provisions of this section.

7 (d) This section shall serve as legislative approval for any Medicaid State Plan
8 Amendment that is required by the Centers for Medicare and Medicaid Services to implement this
9 section.

10 SECTION 6. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO INSURANCE - ACCIDENT AND SICKNESS INSURANCE POLICIES

- 1 This act would guarantee that all women covered by all contracts, plans, or policies of:
- 2 (1) All health insurers;
- 3 (2) All group and blanket health insurers;
- 4 (3) All nonprofit hospital, medical, surgical, dental, and health service corporations; and
- 5 (4) All health maintenance organizations;
- 6 (5) Any provision of medical, hospital, surgical, and funeral benefits, and of coverage
- 7 against accidental death or injury, when the benefits or coverage are incidental to or part of other
- 8 insurance authorized by the statutes of this state; or
- 9 (6) Medicaid health insurance, with a covered prescription contraceptive for a full year of
- 10 coverage paid for by the insurer.
- 11 This act would take effect upon passage.

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