

118TH CONGRESS
1ST SESSION

S. 2427

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 permit enrollees to obtain a 365-day supply of contraceptives.

IN THE SENATE OF THE UNITED STATES

JULY 20, 2023

Mr. FETTERMAN (for himself, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. BOOKER, Mr. CASEY, Ms. DUCKWORTH, Mrs. GILLIBRAND, Mr. HEINRICH, Ms. HIRONO, Mr. KAINE, Mr. MARKEY, Mr. MERKLEY, Mrs. MURRAY, Mr. PADILLA, Ms. SMITH, Ms. STABENOW, Ms. WARREN, Mr. WELCH, and Mr. WHITEHOUSE) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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 permit enrollees to obtain a 365-day supply of contraceptives.

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

1 **SECTION 1. REQUIRING GROUP HEALTH PLANS AND**
2 **GROUP AND INDIVIDUAL HEALTH INSUR-**
3 **ANCE COVERAGE TO PERMIT AN INDIVIDUAL**
4 **TO OBTAIN A 365-DAY SUPPLY OF CONTRA-**
5 **CEPTIVES.**

6 (a) REQUIREMENT.—

7 (1) IN GENERAL.—Section 2713(a) of the Pub-
8 lic Health Service Act (42 U.S.C. 300gg–13(a)) is
9 amended by adding at the end of the matter fol-
10 lowing paragraph (5), the following: “To be in com-
11 pliance with the requirement under paragraph (4),
12 regardless of the guidelines described in such para-
13 graph, the Secretary shall require a group health
14 plan or health insurance issuer offering group or in-
15 dividual health insurance coverage to permit an en-
16 rollee under such plan or coverage to obtain (includ-
17 ing in a single fill or refill), at the option of such
18 individual, the total day supply (not to exceed a 365-
19 day supply) for a contraceptive for which coverage is
20 otherwise required without the imposition of any
21 cost-sharing requirements pursuant to such para-
22 graph.”.

23 (2) EFFECTIVE DATE.—The amendment made
24 by this section shall apply with respect to plan years
25 beginning on or after January 1, 2024.

1 (b) OUTREACH.—Beginning not later than 90 days
2 after the date of the enactment of this Act, the Secretary
3 of Health and Human Services, the Secretary of Labor,
4 and the Secretary of the Treasury shall jointly conduct
5 such outreach activities as are necessary to inform health
6 care providers and individuals who are enrolled (and who
7 are eligible to enroll) in group health plans and group and
8 individual health insurance coverage (as such terms are
9 defined in section 2791 of the Public Health Service Act
10 (42 U.S.C. 300gg–91)) of the benefit requirements applied
11 pursuant to the amendment made by subsection (a)(1).

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