

2018 -- H 7625 SUBSTITUTE A

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LC004454/SUB A/2
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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2018

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A N A C T

RELATING TO INSURANCE -- ACCIDENT AND SICKNESS INSURANCE POLICIES

Introduced By: Representatives Kazarian, Tanzi, Fogarty, Hearn, and Ajello

Date Introduced: February 14, 2018

Referred To: House Finance

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 **27-18-84. Health insurance contracts - Full year coverage for contraception.**
4 Beginning on the first day of each plan year after April 1, 2019, every health insurance
5 issuer offering group or individual health insurance coverage that covers prescription
6 contraception shall not restrict reimbursement for dispensing a covered prescription contraceptive
7 up to three hundred sixty-five (365) days at a time.

8 SECTION 2. Section 27-18-57 of the General Laws in Chapter 27-18 entitled "Accident
9 and Sickness Insurance Policies" is hereby amended to read as follows:

10 **27-18-57. F.D.A. approved prescription contraceptive drugs and devices.**

11 (a) Every individual or group health insurance contract, plan, or policy that provides
12 prescription coverage and is delivered, issued for delivery, or renewed in this state shall provide
13 coverage for F.D.A. approved contraceptive drugs and devices requiring a prescription. Provided,
14 that nothing in this subsection shall be deemed to mandate or require coverage for the
15 prescription drug RU 486.

16 (b) Notwithstanding any other provision of this section, any insurance company may
17 issue to a religious employer an individual or group health insurance contract, plan, or policy that
18 excludes coverage for prescription contraceptive methods which are contrary to the religious
19 employer's bona fide religious tenets.

1 (c) As used in this section, "religious employer" means an employer that is a "church or a
2 qualified church-controlled organization" as defined in 26 U.S.C. § 3121.

3 (d) This section does not apply to insurance coverage providing benefits for: (1) hospital
4 confinement indemnity; (2) disability income; (3) accident only; (4) long term care; (5) Medicare
5 supplement; (6) limited benefit health; (7) specified diseased indemnity; (8) sickness of bodily
6 injury or death by accident or both; and (9) other limited benefit policies.

7 (e) Every religious employer that invokes the exemption provided under this section shall
8 provide written notice to prospective enrollees prior to enrollment with the plan, listing the
9 contraceptive health care services the employer refuses to cover for religious reasons.

10 [\(f\) Beginning on the first day of each plan year after April 1, 2019, every health insurance](#)
11 [issuer offering group or individual health insurance coverage that covers prescription](#)
12 [contraception shall not restrict reimbursement for dispensing a covered prescription contraceptive](#)
13 [up to three hundred sixty-five \(365\) days at a time.](#)

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

16 **27-19-76. Health insurance contracts - Full year coverage for contraception.**

17 [Beginning on the first day of each plan year after April 1, 2019, every health insurance](#)
18 [issuer offering group or individual health insurance coverage that covers prescription](#)
19 [contraception shall not restrict reimbursement for dispensing a covered prescription contraceptive](#)
20 [up to three hundred sixty-five \(365\) days at a time.](#)

21 SECTION 4. Section 27-19-48 of the General Laws in Chapter 27-19 entitled "Nonprofit
22 Hospital Service Corporations" is hereby amended to read as follows:

23 **27-19-48. F.D.A. approved prescription contraceptive drugs and devices.**

24 (a) Every individual or group health insurance contract, plan, or policy that provides
25 prescription coverage and is delivered, issued for delivery, or renewed in this state shall provide
26 coverage for F.D.A. approved contraceptive drugs and devices requiring a prescription. Provided,
27 that nothing in this subsection shall be deemed to mandate or require coverage for the
28 prescription drug RU 486.

29 (b) Notwithstanding any other provision of this section, any hospital service corporation
30 may issue to a religious employer an individual or group health insurance contract, plan, or policy
31 that excludes coverage for prescription contraceptive methods which are contrary to the religious
32 employer's bona fide religious tenets.

33 (c) As used in this section, "religious employer" means an employer that is a "church or a
34 qualified church-controlled organization" as defined in 26 U.S.C. § 3121.

1 (d) Every religious employer that invokes the exemption provided under this section shall
2 provide written notice to prospective enrollees prior to enrollment with the plan, listing the
3 contraceptive health care services the employer refuses to cover for religious reasons.

4 (e) Beginning on the first day of each plan year after April 1, 2019, every health
5 insurance issuer offering group or individual health insurance coverage that covers prescription
6 contraception shall not restrict reimbursement for dispensing a covered prescription contraceptive
7 up to three hundred sixty-five (365) days at a time.

8 SECTION 5. Chapter 27-20 of the General Laws entitled "Nonprofit Medical Service
9 Corporations" is hereby amended by adding thereto the following section:

10 **27-20-72. Health insurance contracts - Full year coverage for contraception.**

11 Beginning on the first day of each plan year after April 1, 2019, every health insurance
12 issuer offering group or individual health insurance coverage that covers prescription
13 contraception shall not restrict reimbursement for dispensing a covered prescription contraceptive
14 up to three hundred sixty-five (365) days at a time.

15 SECTION 6. Section 27-20-43 of the General Laws in Chapter 27-20 entitled "Nonprofit
16 Medical Service Corporations" is hereby amended to read as follows:

17 **27-20-43. F.D.A. approved prescription contraceptive drugs and devices.**

18 (a) Every individual or group health insurance contract, plan, or policy that provides
19 prescription coverage and is delivered, issued for delivery, or renewed in this state shall provide
20 coverage for F.D.A. approved contraceptive drugs and devices requiring a prescription. Provided,
21 that nothing in this subsection shall be deemed to mandate or require coverage for the
22 prescription drug RU 486.

23 (b) Notwithstanding any other provision of this section, any medical service corporation
24 may issue to a religious employer an individual or group health insurance contract, plan, or policy
25 that excludes coverage for prescription contraceptive methods which are contrary to the religious
26 employer's bona fide religious tenets.

27 (c) As used in this section, "religious employer" means an employer that is a "church or a
28 qualified church-controlled organization" as defined in 26 U.S.C. § 3121.

29 (d) Every religious employer that invokes the exemption provided under this section shall
30 provide written notice to prospective enrollees prior to enrollment with the plan, listing the
31 contraceptive health care services the employer refuses to cover for religious reasons.

32 (e) Beginning on the first day of each plan year after April 1, 2019, every health
33 insurance issuer offering group or individual health insurance coverage that covers prescription
34 contraception shall not restrict reimbursement for dispensing a covered prescription contraceptive

1 [up to three hundred sixty-five \(365\) days at a time.](#)

2 SECTION 7. Chapter 27-41 of the General Laws entitled "Health Maintenance
3 Organizations" is hereby amended by adding thereto the following section:

4 **27-41-89. Health insurance contracts - Full year coverage for contraception.**

5 [Beginning on the first day of each plan year after April 1, 2019, every health insurance](#)
6 [issuer offering group or individual health insurance coverage that covers prescription](#)
7 [contraception shall not restrict reimbursement for dispensing a covered prescription contraceptive](#)
8 [up to three hundred sixty-five \(365\) days at a time.](#)

9 SECTION 8. Section 27-41-59 of the General Laws in Chapter 27-41 entitled "Health
10 Maintenance Organizations" is hereby amended to read as follows:

11 **27-41-59. F.D.A. approved prescription contraceptive drugs and devices.**

12 (a) Every individual or group health insurance contract, plan, or policy that provides
13 prescription coverage and is delivered, issued for delivery, or renewed in this state shall provide
14 coverage for F.D.A. approved contraceptive drugs and devices requiring a prescription; provided,
15 that nothing in this subsection shall be deemed to mandate or require coverage for the
16 prescription drug RU 486.

17 (b) Notwithstanding any other provision of this section, any health maintenance
18 corporation may issue to a religious employer an individual or group health insurance contract,
19 plan, or policy that excludes coverage for prescription contraceptive methods which are contrary
20 to the religious employer's bona fide religious tenets.

21 (c) As used in this section, "religious employer" means an employer that is a "church or a
22 qualified church-controlled organization" as defined in 26 U.S.C. § 3121.

23 (d) Every religious employer that invokes the exemption provided under this section shall
24 provide written notice to prospective enrollees prior to enrollment with the plan, listing the
25 contraceptive health care services the employer refuses to cover for religious reasons.

26 [\(e\) Beginning on the first day of each plan year after April 1, 2019, every health](#)
27 [insurance issuer offering group or individual health insurance coverage that covers prescription](#)
28 [contraception shall not restrict reimbursement for dispensing a covered prescription contraceptive](#)
29 [up to three hundred sixty-five \(365\) days at a time.](#)

30 SECTION 9. Chapter 40-8.4 of the General Laws entitled "Health Care For Families" is
31 hereby amended by adding thereto the following section:

32 **40-8.4-20. Full year coverage for contraception.**

33 [No later than July 1, 2019, the executive office of health and human services \(EOHHS\)](#)
34 [shall apply for the appropriate federal approval to provide Medicaid beneficiaries up to three](#)

1 [hundred sixty-five \(365\) days of prescription contraception dispensed as a single prescription.](#)

2 SECTION 10. Section 9 of this act, pertaining to Medicaid, shall take effect July 1, 2019.

3 The remaining sections shall take effect April 1, 2019.

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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 provide full year insurance coverage for contraceptives and would provide
2 coverage thereto.

3 Section 9 of this act, pertaining to Medicaid, would take effect July 1, 2019. The
4 remaining sections would take effect April 1, 2019.

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