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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: Representatives Tanzi, Finn, Kazarian, Ackerman, and Tomasso

Date Introduced: March 27, 2014

Referred To: House Corporations

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) of this section shall not apply to self-insured employee welfare benefit  
9 plans 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;

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 (6) All health care facilities, as defined in § 23-17-2(6);

3 (7) All pharmacies subject to the provisions of chapter 5-19.1; and

4 (8) Family planning centers and essential community providers.

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

7 **27-19-73. Health insurance contracts - Full year coverage for contraception. -- (a)**

8 Beginning on the first day of each plan year after July 1, 2014, every health insurance issuer  
9 offering group or individual health insurance coverage that covers prescription contraception  
10 shall not restrict reimbursement for dispensing a covered prescription contraceptive to fewer than  
11 three hundred sixty-five (365) days at a time.

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

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

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

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

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

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

21 (4) All health maintenance organizations;

22 (5) Any provision of medical, hospital, surgical, and funeral benefits, and of coverage  
23 against accidental death or injury, when the benefits or coverage are incidental to or part of other  
24 insurance authorized by the statutes of this state;

25 (6) All health care facilities, as defined in § 23-17-2(6);

26 (7) All pharmacies subject to the provisions of chapter 5-19.1; and

27 (8) Family planning centers and essential community providers.

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

30 **27-20-69. Health insurance contracts - Full year coverage for contraception. -- (a)**

31 Beginning on the first day of each plan year after July 1, 2014, every health insurance issuer  
32 offering group or individual health insurance coverage that covers prescription contraception  
33 shall not restrict reimbursement for dispensing a covered prescription contraceptive to fewer than  
34 three hundred sixty-five (365) days at a time.

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

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

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

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

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

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

10          (4) All health maintenance organizations;

11          (5) Any provision of medical, hospital, surgical, and funeral benefits, and of coverage  
12 against accidental death or injury, when the benefits or coverage are incidental to or part of other  
13 insurance authorized by the statutes of this state;

14          (6) All health care facilities, as defined in § 23-17-2(6);

15          (7) All pharmacies subject to the provisions of chapter 5-19.1; and

16          (8) Family planning centers and essential community providers.

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

19          **27-41-86. Health insurance contracts - Full year coverage for contraception. -- (a)**  
20 Beginning on the first day of each plan year after July 1, 2014, every health insurance issuer  
21 offering group or individual health insurance coverage that covers prescription contraception  
22 shall not restrict reimbursement for dispensing a covered prescription contraceptive to fewer than  
23 three hundred sixty-five (365) days at a time.

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

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

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

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

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

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

33          (4) All health maintenance organizations;

34          (5) Any provision of medical, hospital, surgical, and funeral benefits, and of coverage

1 against accidental death or injury, when the benefits or coverage are incidental to or part of other  
2 insurance authorized by the statutes of this state;

3 (6) All health care facilities, as defined in § 23-17-2(6);

4 (7) All pharmacies subject to the provisions of chapter 5-19.1; and

5 (8) Family planning centers and essential community providers.

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

8 **42-12.3-3.1. Medical assistance expansion for women - Full year coverage for**  
9 **contraception.** – (a) By one hundred eighty (180) days from July 1, 2014, the department of  
10 human services shall develop and implement a system by which the Medicaid program  
11 reimburses for, and Medicaid pharmacies dispense:

12 (1) Twelve (12) months of prescription contraception at a time to enrollees with a valid  
13 prescription for twelve (12) months of contraception; or

14 (2) As many months of prescription contraception as there is a valid prescription for, up  
15 to twelve (12) months.

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

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

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

22 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

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1           This act would provide full year contraceptive coverage to women covered by health  
2 insurance contracts, plans or policies and authorizes the department of human services to issue  
3 rules and regulations to require Medicaid pharmacies to dispense twelve (12) months of a  
4 contraception prescription and to reimburse Medicaid eligible women for a full year of coverage  
5 for contraception.

6           This act would take effect upon passage.

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