

**2017 -- H 5486 SUBSTITUTE A**

LC001206/SUB A/2

**STATE OF RHODE ISLAND**

**IN GENERAL ASSEMBLY**

**JANUARY SESSION, A.D. 2017**

**A N A C T**

**RELATING TO INSURANCE -- ACCIDENT AND SICKNESS INSURANCE POLICIES**

Introduced By: Representatives Kazarian, Regunberg, Blazejewski, Fogarty, and Tanzi

Date Introduced: February 15, 2017

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           **27-18-83. Health insurance contracts - Full year coverage for contraception.**

4           Beginning on the first day of each plan year after January 1, 2018, 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 to fewer than 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 January 1, 2018, every health  
11 insurance issuer offering group or individual health insurance coverage that covers prescription  
12 contraception shall not restrict reimbursement for dispensing a covered prescription contraceptive  
13 to fewer than 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 **27-19-74. Health insurance contracts - Full year coverage for contraception.**

17 Beginning on the first day of each plan year after January 1, 2018, 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 to fewer than 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 January 1, 2018, 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 to fewer than 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 **27-20-70. Health insurance contracts - Full year coverage for contraception.**

11 Beginning on the first day of each plan year after January 1, 2018, 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 to fewer than 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 January 1, 2018, 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 [to fewer than 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 **27-41-87. Health insurance contracts - Full year coverage for contraception.**

5 [Beginning on the first day of each plan year after January 1, 2018, 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 [to fewer than 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 January 1, 2018, 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 [to fewer than 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, 2018, the executive office of health and human services \(EOHHS\)](#)  
34 [shall apply for the appropriate federal approval to provide Medicaid beneficiaries at least 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, 2018.

3 The remaining sections shall take effect January 1, 2018.

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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 insurance coverage for contraceptives and would provide  
2 coverage thereto.

3           Section 9 of this act, pertaining to Medicaid, would take effect July 1, 2018. The  
4 remaining sections would take effect January 1, 2018.

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