

AMENDMENT #1

Rep. Halero

OFFERED IN THE HOUSE

TO: HCS CSSB 37(JUD)

1 Page 1, following line 5:

2 Insert a new bill section to read:

3 **** Section 1.** AS 21.42 is amended by adding a new section to read:

4 **Sec. 21.42.410. Coverage for contraceptives.** (a) Except with respect to
5 limited benefit health care insurance or health care insurance purchased by a religious
6 employer, a health care insurer that offers, issues for delivery, delivers, or renews in
7 this state a health care insurance plan that provides coverage for prescription drugs on
8 an outpatient basis shall provide coverage for any prescribed drug or device approved
9 by the United States Food and Drug Administration for use as a contraceptive. The
10 coverage required under this section is subject to standard policy provisions applicable
11 to other benefits, including deductible or copayment provisions, within the constraints
12 of (b) of this section.

13 (b) An insurer may not impose on a person receiving prescription
14 contraceptive benefits a

15 (1) copayment, coinsurance payment, or fee that is not equally
16 imposed on all individuals in the same benefit category, class, coinsurance level, or
17 copayment level receiving benefits for prescription drugs; or

18 (2) reduction in allowable reimbursement for prescription drug
19 benefits.

20 (c) This section may not be construed to

21 (1) require coverage for prescription coverage benefits in a contract,
22 policy, or plan that does not otherwise provide coverage for prescription drugs;

23 (2) preclude the use of closed formularies if the formularies include

1 oral, implant, and injectable contraceptive drugs, intrauterine devices, and prescription
2 barrier methods;

3 (3) require an insurer to provide coverage for abortion;

4 (4) require an insurer to provide coverage for emergency
5 contraception.

6 (d) A health care insurance plan that, under (a) of this section, is exempt from
7 providing coverage for contraceptives must contain a written notice that prescription
8 contraceptives are not included under the policy.

9 (e) In this section,

10 (1) "limited benefit health care insurance" means accident and sickness
11 insurance designed, advertised, and marketed to supplement major medical insurance,
12 including accident only, Civilian Health and Medical Program of the Uniformed
13 Services (CHAMPUS) supplement, dental, disability income, fixed indemnity, long-
14 term care, Medicare supplement, specific disease, vision, and other accident and
15 sickness insurance other than basic hospital expense, basic medical-surgical expense,
16 or major medical insurance;

17 (2) "religious employer" means an employer

18 (A) with a primary purpose of instilling religious principles;

19 (B) that primarily employs individuals who share the religious
20 principles of the employer;

21 (C) that primarily serves individuals who share the employer's
22 religious principles; and

23 (D) that does not receive public funding."
24

25 Page 1, line 6:

26 Delete "*** Section 1**"

27 Insert "*** Sec. 2**"

28
29 Renumber the following bill section accordingly.