

AMENDMENT #1

OFFERED IN THE SENATE
TO: SB 198

BY SENATOR GARDNER

1 Page 1, line 1, following "Act":

2 Insert "relating to insurance coverage for prescription contraceptives; relating to
3 medical assistance coverage for prescription contraceptives;"

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5 Page 1, line 2, following "disorders":

6 Insert "; and providing for an effective date"

7

8 Page 1, following line 3:

9 Insert new bill sections to read:

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

11 **Sec. 21.42.427. Coverage for contraceptives.** A health care insurer that
12 offers, issues for delivery, delivers, or renews in the state a health care insurance plan
13 in the group or individual market shall provide coverage for or reimburse a health care
14 provider or dispensing entity for dispensing prescription contraceptives intended to
15 last for a 12-month period, regardless of whether the insured was enrolled in the health
16 care insurance plan at the time the prescription contraceptive was first prescribed to
17 the insured. In this section, "prescription contraceptive" means a hormonal, self-
18 administered drug that requires a prescription and is approved by the United States
19 Food and Drug Administration to prevent pregnancy.

20 *** Sec. 2.** AS 39.30.090(a) is amended to read:

21 (a) The Department of Administration may obtain a policy or policies of group
22 insurance covering state employees, persons entitled to coverage under AS 14.25.168,
23 14.25.480, AS 22.25.090, AS 39.35.535, 39.35.880, or former AS,39.37.145,

1 employees of other participating governmental units, or persons entitled to coverage
2 under AS 23.15.136, subject to the following conditions:

3 (1) a group insurance policy shall provide one or more of the following
4 benefits: life insurance, accidental death and dismemberment insurance, weekly
5 indemnity insurance, hospital expense insurance, surgical expense insurance, dental
6 expense insurance, audiovisual insurance, or other medical care insurance;

7 (2) each eligible employee of the state, the spouse and the unmarried
8 children chiefly dependent on the eligible employee for support, and each eligible
9 employee of another participating governmental unit shall be covered by the group
10 policy, unless exempt under regulations adopted by the commissioner of
11 administration;

12 (3) a governmental unit may participate under a group policy if

13 (A) its governing body adopts a resolution authorizing
14 participation and payment of required premiums;

15 (B) a certified copy of the resolution is filed with the
16 Department of Administration; and

17 (C) the commissioner of administration approves the
18 participation in writing;

19 (4) in procuring a policy of group health or group life insurance as
20 provided under this section or excess loss insurance as provided in AS 39.30.091, the
21 Department of Administration shall comply with the dual choice requirements of
22 AS 21.86.310, and shall obtain the insurance policy from an insurer authorized to
23 transact business in the state under AS 21.09, a hospital or medical service corporation
24 authorized to transact business in this state under AS 21.87, or a health maintenance
25 organization authorized to operate in this state under AS 21.86; an excess loss
26 insurance policy may be obtained from a life or health insurer authorized to transact
27 business in this state under AS 21.09 or from a hospital or medical service corporation
28 authorized to transact business in this state under AS 21.87;

29 (5) the Department of Administration shall make available bid
30 specifications for desired insurance benefits or for administration of benefit claims and
31 payments to (A) all insurance carriers authorized to transact business in this state

1 under AS 21.09 and all hospital or medical service corporations authorized to transact
2 business under AS 21.87 who are qualified to provide the desired benefits; and (B)
3 insurance carriers authorized to transact business in this state under AS 21.09, hospital
4 or medical service corporations authorized to transact business under AS 21.87, and
5 third-party administrators licensed to transact business in this state and qualified to
6 provide administrative services; the specifications shall be made available at least once
7 every five years; the lowest responsible bid submitted by an insurance carrier, hospital
8 or medical service corporation, or third-party administrator with adequate servicing
9 facilities shall govern selection of a carrier, hospital or medical service corporation, or
10 third-party administrator under this section or the selection of an insurance carrier or a
11 hospital or medical service corporation to provide excess loss insurance as provided in
12 AS 39.30.091;

13 (6) if the aggregate of dividends payable under the group insurance
14 policy exceeds the governmental unit's share of the premium, the excess shall be
15 applied by the governmental unit for the sole benefit of the employees;

16 (7) a person receiving benefits under AS 14.25.110, AS 22.25,
17 AS 39.35, or former AS 39.37 may continue the life insurance coverage that was in
18 effect under this section at the time of termination of employment with the state or
19 participating governmental unit;

20 (8) a person electing to have insurance under (7) of this subsection
21 shall pay the cost of this insurance;

22 (9) for each permanent part-time employee electing coverage under
23 this section, the state shall contribute one-half the state contribution rate for permanent
24 full-time state employees, and the permanent part-time employee shall contribute the
25 other one-half;

26 (10) a person receiving benefits under AS 14.25, AS 22.25, AS 39.35,
27 or former AS 39.37 may obtain auditory, visual, and dental insurance for that person
28 and eligible dependents under this section; the level of coverage for persons over 65
29 shall be the same as that available before reaching age 65 except that the benefits
30 payable shall be supplemental to any benefits provided under the federal old age,
31 survivors, and disability insurance program; a person electing to have insurance under

1 this paragraph shall pay the cost of the insurance; the commissioner of administration
2 shall adopt regulations implementing this paragraph;

3 (11) a person receiving benefits under AS 14.25, AS 22.25, AS 39.35,
4 or former AS 39.37 may obtain long-term care insurance for that person and eligible
5 dependents under this section; a person who elects insurance under this paragraph
6 shall pay the cost of the insurance premium; the commissioner of administration shall
7 adopt regulations to implement this paragraph;

8 (12) each licensee holding a current operating agreement for a vending
9 facility under AS 23.15.010 - 23.15.210 shall be covered by the group policy that
10 applies to governmental units other than the state;

11 **(13) a group health insurance policy shall provide coverage for or**
12 **reimburse a health care provider or dispensing entity for dispensing prescription**
13 **contraceptives intended to last for a 12-month period, regardless of whether the**
14 **insured was enrolled in the health care insurance plan at the time the**
15 **prescription contraceptive was first prescribed to the insured.**

16 * Sec. 3. AS 39.30.091 is amended by adding a new subsection to read:

17 (b) A group health insurance policy provided under this section shall provide
18 coverage for or reimburse a health care provider or dispensing entity for dispensing
19 prescription contraceptives intended to last for a 12-month period, regardless of
20 whether the insured was enrolled in the health care insurance plan at the time the
21 prescription contraceptive was first prescribed to the insured.

22 * Sec. 4. AS 47.07.065 is amended by adding new subsections to read:

23 (b) The department shall pay for prescription contraceptives intended to last
24 for a 12-month period if prescribed or dispensed to a recipient, regardless of whether
25 the recipient was receiving medical assistance at the time the prescription
26 contraceptive was first prescribed to the recipient.

27 (c) Nothing in this section requires itemized reimbursement when a service is
28 reimbursable as part of a bundled or composite rate.

29 (d) In this section, "prescription contraceptive" means a hormonal, self-
30 administered drug that requires a prescription and is approved by the United States
31 Food and Drug Administration to prevent pregnancy."

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2 Page 1, line 4:

3 Delete "**Section 1**"4 Insert "**Sec. 5**"

5

6 Renumber the following bill section accordingly.

7

8 Page 3, line 8:

9 Delete "Section 1"

10 Insert "Section 5"

11

12 Page 3, following line 8:

13 Insert new bill sections to read:

14 **"* Sec. 7.** The uncodified law of the State of Alaska is amended by adding a new section to
15 read:

16 MEDICAID STATE PLAN INSTRUCTIONS; NOTICE TO REVISOR OF
17 STATUTES. The Department of Health and Social Services shall immediately amend and
18 submit for federal approval a state plan for medical assistance coverage consistent with
19 AS 47.07.065(b) - (d), added by sec. 4 of this Act. The Department of Health and Social
20 Services shall apply to the United States Department of Health and Human Services for any
21 waivers necessary to implement AS 47.07.065(b) - (d), added by sec. 4 of this Act. The
22 commissioner of health and social services shall notify the revisor of statutes in writing if the
23 United States Department of Health and Human Services approves the provisions of
24 AS 47.07.065(b) - (d), added by sec. 4 of this Act.

25 *** Sec. 8.** The uncodified law of the State of Alaska is amended by adding a new section to
26 read:

27 **CONDITIONAL EFFECT.** AS 47.07.065(b) - (d), added by sec. 4 of this Act, take
28 effect only if the commissioner of health and social services notifies the revisor of statutes in
29 writing under sec. 7 of this Act, on or before January 1, 2019, that the provisions of
30 AS 47.07.065(b) - (d), added by sec. 4 of this Act, have been approved by the United States
31 Department of Health and Human Services.

1 * **Sec. 9.** If AS 47.07.065(b) - (d), added by sec. 4 of this Act, take effect, they take effect on
2 the day after the date the commissioner of health and social services makes a certification to
3 the revisor of statutes under secs. 7 and 8 of this Act.

4 * **Sec. 10.** Except as provided in sec. 9 of this Act, sections 1 - 4 and 8 of this Act take
5 effect January 1, 2019."