

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Require Insurance Coverage for Contraceptive Supplies

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 24-A MRSA §2756, sub-§3 is enacted to read:

3. Coverage of contraceptive supplies. Coverage required under this section must include coverage for the dispensing of contraceptive supplies in accordance with the following requirements. For purposes of this section, "contraceptive supplies" means all contraceptive drugs and devices approved by the federal Food and Drug Administration to prevent an unwanted pregnancy.

A. Coverage must be provided for a dispensing of contraceptive supplies intended to last for a:

(1) Three-month period for the first dispensing of the contraceptive supply; and

(2) Twelve-month period for a subsequent dispensing of the same contraceptive supply, regardless of whether the policyholder was covered under the policy or contract at the time of the first dispensing.

B. A deductible, copayment, coinsurance or other cost-sharing requirement may not be imposed on the coverage.

C. Except as provided in paragraph A and in the absence of medical necessity, an insurer may not impose utilization review requirements or other limitations to control the prescribing or dispensing of contraceptive supplies to an amount that is less than a 12-month supply.

D. In no event may a pharmacy, health care provider or other entity licensed or authorized to dispense contraceptive supplies dispense a greater supply of a contraceptive supply pursuant to this subsection if the prescription indicates "no change to quantity" or words of similar meaning.

Sec. 2. 24-A MRSA §2847-G, sub-§4 is enacted to read:

4. Coverage of contraceptive supplies. Coverage required under this section must include coverage for the dispensing of contraceptive supplies in accordance with the following requirements. For purposes of this section, "contraceptive supplies" means all contraceptive drugs and devices approved by the federal Food and Drug Administration to prevent an unwanted pregnancy.

A. Coverage must be provided for a dispensing of contraceptive supplies intended to last for a:

(1) Three-month period for the first dispensing of the contraceptive supply; and

(2) Twelve-month period for a subsequent dispensing of the same contraceptive supply, regardless of whether the policyholder was covered under the policy or contract at the time of the first dispensing.

B. A deductible, copayment, coinsurance or other cost-sharing requirement may not be imposed on the coverage.

C. Except as provided in paragraph A and in the absence of medical necessity, an insurer may not impose utilization review requirements or other limitations to control the prescribing or dispensing of contraceptive supplies to an amount that is less than a 12-month supply.

D. In no event may a pharmacy, health care provider or other entity licensed or authorized to dispense contraceptive supplies dispense a greater supply of a contraceptive supply pursuant to this subsection if the prescription indicates "no change to quantity" or words of similar meaning.

Sec. 3. 24-A MRSA §4247, sub-§4 is enacted to read:

4. Coverage of contraceptive supplies. Coverage required under this section must include coverage for the dispensing of contraceptive supplies in accordance with the following requirements. For purposes of this section, "contraceptive supplies" means all contraceptive drugs and devices approved by the federal Food and Drug Administration to prevent an unwanted pregnancy.

A. Coverage must be provided for a dispensing of contraceptive supplies intended to last for a:

(1) Three-month period for the first dispensing of the contraceptive supply; and

(2) Twelve-month period for a subsequent dispensing of the same contraceptive supply, regardless of whether the policyholder was covered under the policy or contract at the time of the first dispensing.

B. A deductible, copayment, coinsurance or other cost-sharing requirement may not be imposed on the coverage.

C. Except as provided in paragraph A and in the absence of medical necessity, a health maintenance organization may not impose utilization review requirements or other limitations to control the prescribing or dispensing of contraceptive supplies to an amount that is less than a 12-month supply.

D. In no event may a pharmacy, health care provider or other entity licensed or authorized to dispense contraceptive supplies dispense a greater supply of a contraceptive supply pursuant to this subsection if the prescription indicates "no change to quantity" or words of similar meaning.

Sec. 4. Application. The requirements of this Act apply to all policies, contracts and certificates executed, delivered, issued for delivery, continued or renewed in this State on or after January 1, 2018. For purposes of this Act, all contracts are deemed to be renewed no later than the next yearly anniversary of the contract date.

SUMMARY

This bill expands the requirements in current law relating to coverage of contraceptives to include coverage for contraceptive supplies approved by the federal Food and Drug Administration for a 3-month supply for the first dispensing and a 12-month supply for a subsequent dispensing of the same contraceptive supply. Coverage must be provided without imposing any cost-sharing. The requirements apply to all individual and group policies and contracts issued or renewed on or after January 1, 2018.