

P.L.2017, CHAPTER 241, *approved December 15, 2017*  
Assembly, No. 2297 (*First Reprint*)

1 AN ACT concerning insurance coverage for prescribed  
2 contraceptives and amending P.L.2005, c.251.

3  
4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6  
7 1. Section 1 of P.L.2005, c.251 (C.17:48-6ee) is amended to  
8 read as follows:

9 1. A hospital service corporation that provides hospital or  
10 medical expense benefits for expenses incurred in the purchase of  
11 outpatient prescription drugs under a contract shall provide  
12 coverage under every such contract delivered, issued, executed or  
13 renewed in this State or approved for issuance or renewal in this  
14 State by the Commissioner of Banking and Insurance, on or after  
15 the effective date of this act, for expenses incurred in the purchase  
16 of prescription female contraceptives. For the purposes of this  
17 section, "prescription female contraceptives" means any drug or  
18 device used for contraception by a female, which is approved by the  
19 federal Food and Drug Administration for that purpose, that can  
20 only be purchased in this State with a prescription written by a  
21 health care professional licensed or authorized to write  
22 prescriptions, and includes, but is not limited to, birth control pills  
23 and diaphragms. The coverage provided shall include prescriptions  
24 for dispensing contraceptives for:

25 a. a three-month period for the first dispensing of the  
26 contraceptive; and

27 b. a **["twelve-month"]** six-month<sup>1</sup> period for any subsequent  
28 dispensing of the same contraceptive, regardless of whether  
29 coverage under the contract was in effect at the time of the first  
30 dispensing <sup>1</sup>, except that an entity subject to this section may  
31 provide coverage for a supply of contraceptives that is for less than  
32 a six-month period, if a six-month period would extend beyond the  
33 term of the contract<sup>1</sup>.

34 A religious employer may request, and a hospital service  
35 corporation shall grant, an exclusion under the contract for the  
36 coverage required by this section if the required coverage conflicts  
37 with the religious employer's bona fide religious beliefs and  
38 practices. A religious employer that obtains such an exclusion shall  
39 provide written notice thereof to prospective subscribers and  
40 subscribers. The provisions of this section shall not be construed as

**EXPLANATION** – Matter enclosed in bold-faced brackets **["thus"]** in the above bill is  
not enacted and is intended to be omitted in the law.

Matter underlined **thus** is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Assembly amendments adopted in accordance with Governor's  
recommendations July 31, 2017.

1 authorizing a hospital service corporation to exclude coverage for  
2 prescription drugs that are prescribed for reasons other than  
3 contraceptive purposes or for prescription female contraceptives  
4 that are necessary to preserve the life or health of a subscriber. For  
5 the purposes of this section, "religious employer" means an  
6 employer that is a church, convention or association of churches or  
7 an elementary or secondary school that is controlled, operated or  
8 principally supported by a church or by a convention or association  
9 of churches as defined in 26 U.S.C.s.3121(w)(3)(A), and that  
10 qualifies as a tax-exempt organization under 26 U.S.C.s.501(c)(3).

11 The benefits shall be provided to the same extent as for any other  
12 outpatient prescription drug under the contract.

13 This section shall apply to those contracts in which the hospital  
14 service corporation has reserved the right to change the premium.  
15 (cf: P.L.2005, c.251, s.1)

16

17 2. Section 2 of P.L.2005, c.251 (C.17:48A-7bb) is amended to  
18 read as follows:

19 2. A medical service corporation that provides hospital or  
20 medical expense benefits for expenses incurred in the purchase of  
21 outpatient prescription drugs under a contract shall provide  
22 coverage under every such contract delivered, issued, executed or  
23 renewed in this State or approved for issuance or renewal in this  
24 State by the Commissioner of Banking and Insurance, on or after  
25 the effective date of this act, for expenses incurred in the purchase  
26 of prescription female contraceptives. For the purposes of this  
27 section, "prescription female contraceptives" means any drug or  
28 device used for contraception by a female, which is approved by the  
29 federal Food and Drug Administration for that purpose, that can  
30 only be purchased in this State with a prescription written by a  
31 health care professional licensed or authorized to write  
32 prescriptions, and includes, but is not limited to, birth control pills  
33 and diaphragms. The coverage provided shall include prescriptions  
34 for dispensing contraceptives for:

35 a. a three-month period for the first dispensing of the  
36 contraceptive; and

37 b. a <sup>1</sup>["twelve-month"] six-month<sup>1</sup> period for any subsequent  
38 dispensing of the same contraceptive, regardless of whether  
39 coverage under the contract was in effect at the time of the first  
40 dispensing <sup>1</sup>, except that an entity subject to this section may  
41 provide coverage for a supply of contraceptives that is for less than  
42 a six-month period, if a six-month period would extend beyond the  
43 term of the contract<sup>1</sup>.

44 A religious employer may request, and a medical service  
45 corporation shall grant, an exclusion under the contract for the  
46 coverage required by this section if the required coverage conflicts  
47 with the religious employer's bona fide religious beliefs and  
48 practices. A religious employer that obtains such an exclusion shall

1 provide written notice thereof to prospective subscribers and  
2 subscribers. The provisions of this section shall not be construed as  
3 authorizing a medical service corporation to exclude coverage for  
4 prescription drugs that are prescribed for reasons other than  
5 contraceptive purposes or for prescription female contraceptives  
6 that are necessary to preserve the life or health of a subscriber. For  
7 the purposes of this section, "religious employer" means an  
8 employer that is a church, convention or association of churches or  
9 an elementary or secondary school that is controlled, operated or  
10 principally supported by a church or by a convention or association  
11 of churches as defined in 26 U.S.C.s.3121(w)(3)(A), and that  
12 qualifies as a tax-exempt organization under 26 U.S.C.s.501(c)(3).

13 The benefits shall be provided to the same extent as for any other  
14 outpatient prescription drug under the contract.

15 This section shall apply to those contracts in which the medical  
16 service corporation has reserved the right to change the premium.

17 (cf: P.L.2005, c.251, s.2)

18

19 3. Section 3 of P.L.2005, c.251 (C.17:48E-35.29) is amended  
20 to read as follows:

21 3. A health service corporation that provides hospital or  
22 medical expense benefits for expenses incurred in the purchase of  
23 outpatient prescription drugs under a contract shall provide  
24 coverage under every such contract delivered, issued, executed or  
25 renewed in this State or approved for issuance or renewal in this  
26 State by the Commissioner of Banking and Insurance, on or after  
27 the effective date of this act, for expenses incurred in the purchase  
28 of prescription female contraceptives. For the purposes of this  
29 section, "prescription female contraceptives" means any drug or  
30 device used for contraception by a female, which is approved by the  
31 federal Food and Drug Administration for that purpose, that can  
32 only be purchased in this State with a prescription written by a  
33 health care professional licensed or authorized to write  
34 prescriptions, and includes, but is not limited to, birth control pills  
35 and diaphragms. The coverage provided shall include prescriptions  
36 for dispensing contraceptives for:

37 a. a three-month period for the first dispensing of the  
38 contraceptive; and

39 b. a <sup>1</sup>twelve-month<sup>1</sup> six-month<sup>1</sup> period for any subsequent  
40 dispensing of the same contraceptive, regardless of whether  
41 coverage under the contract was in effect at the time of the first  
42 dispensing <sup>1</sup>, except that an entity subject to this section may  
43 provide coverage for a supply of contraceptives that is for less than  
44 a six-month period, if a six-month period would extend beyond the  
45 term of the contract<sup>1</sup>.

46 A religious employer may request, and a health service  
47 corporation shall grant, an exclusion under the contract for the  
48 coverage required by this section if the required coverage conflicts

1 with the religious employer's bona fide religious beliefs and  
2 practices. A religious employer that obtains such an exclusion shall  
3 provide written notice thereof to prospective subscribers and  
4 subscribers. The provisions of this section shall not be construed as  
5 authorizing a health service corporation to exclude coverage for  
6 prescription drugs that are prescribed for reasons other than  
7 contraceptive purposes or for prescription female contraceptives  
8 that are necessary to preserve the life or health of a subscriber. For  
9 the purposes of this section, "religious employer" means an  
10 employer that is a church, convention or association of churches or  
11 an elementary or secondary school that is controlled, operated or  
12 principally supported by a church or by a convention or association  
13 of churches as defined in 26 U.S.C.s.3121(w)(3)(A), and that  
14 qualifies as a tax-exempt organization under 26 U.S.C.s.501(c)(3).

15 The benefits shall be provided to the same extent as for any other  
16 outpatient prescription drug under the contract.

17 This section shall apply to those contracts in which the health  
18 service corporation has reserved the right to change the premium.

19 (cf: P.L.2005, c.251, s.3)

20

21 4. Section 4 of P.L.2005, c.251 (C.17B:27-46.1ee) is amended  
22 to read as follows:

23 4. A group health insurer that provides hospital or medical  
24 expense benefits for expenses incurred in the purchase of outpatient  
25 prescription drugs under a policy shall provide coverage under  
26 every such policy delivered, issued, executed or renewed in this  
27 State or approved for issuance or renewal in this State by the  
28 Commissioner of Banking and Insurance, on or after the effective  
29 date of this act, for expenses incurred in the purchase of  
30 prescription female contraceptives. For the purposes of this section,  
31 "prescription female contraceptives" means any drug or device used  
32 for contraception by a female, which is approved by the federal  
33 Food and Drug Administration for that purpose, that can only be  
34 purchased in this State with a prescription written by a health care  
35 professional licensed or authorized to write prescriptions, and  
36 includes, but is not limited to, birth control pills and diaphragms.  
37 The coverage provided shall include prescriptions for dispensing  
38 contraceptives for:

39 a. a three-month period for the first dispensing of the  
40 contraceptive; and

41 b. a <sup>1</sup>twelve-month<sup>1</sup> six-month<sup>1</sup> period for any subsequent  
42 dispensing of the same contraceptive, regardless of whether  
43 coverage under the policy was in effect at the time of the first  
44 dispensing <sup>1</sup>, except that an entity subject to this section may  
45 provide coverage for a supply of contraceptives that is for less than  
46 a six-month period, if a six-month period would extend beyond the  
47 term of the contract<sup>1</sup>.

1 A religious employer may request, and an insurer shall grant, an  
2 exclusion under the policy for the coverage required by this section  
3 if the required coverage conflicts with the religious employer's bona  
4 fide religious beliefs and practices. A religious employer that  
5 obtains such an exclusion shall provide written notice thereof to  
6 prospective insureds and insureds. The provisions of this section  
7 shall not be construed as authorizing an insurer to exclude coverage  
8 for prescription drugs that are prescribed for reasons other than  
9 contraceptive purposes or for prescription female contraceptives  
10 that are necessary to preserve the life or health of an insured. For  
11 the purposes of this section, "religious employer" means an  
12 employer that is a church, convention or association of churches or  
13 an elementary or secondary school that is controlled, operated or  
14 principally supported by a church or by a convention or association  
15 of churches as defined in 26 U.S.C.s.3121(w)(3)(A), and that  
16 qualifies as a tax-exempt organization under 26 U.S.C.s.501(c)(3).

17 The benefits shall be provided to the same extent as for any other  
18 outpatient prescription drug under the policy.

19 This section shall apply to those policies in which the insurer has  
20 reserved the right to change the premium.

21 (cf: P.L.2005, c.251, s.4)

22

23 5. Section 5 of P.L.2005, c.251 (C.17B:26-2.1y) is amended to  
24 read as follows:

25 5. An individual health insurer that provides hospital or  
26 medical expense benefits for expenses incurred in the purchase of  
27 outpatient prescription drugs under a policy shall provide coverage  
28 under every such policy delivered, issued, executed or renewed in  
29 this State or approved for issuance or renewal in this State by the  
30 Commissioner of Banking and Insurance, on or after the effective  
31 date of this act, for expenses incurred in the purchase of  
32 prescription female contraceptives. For the purposes of this section,  
33 "prescription female contraceptives" means any drug or device used  
34 for contraception by a female, which is approved by the federal  
35 Food and Drug Administration for that purpose, that can only be  
36 purchased in this State with a prescription written by a health care  
37 professional licensed or authorized to write prescriptions, and  
38 includes, but is not limited to, birth control pills and diaphragms.  
39 The coverage provided shall include prescriptions for dispensing  
40 contraceptives for:

41 a. a three-month period for the first dispensing of the  
42 contraceptive; and

43 b. a <sup>1</sup>[twelve-month] six-month<sup>1</sup> period for any subsequent  
44 dispensing of the same contraceptive, regardless of whether  
45 coverage under the policy was in effect at the time of the first  
46 dispensing <sup>1</sup>, except that an entity subject to this section may  
47 provide coverage for a supply of contraceptives that is for less than

1 a six-month period, if a six-month period would extend beyond the  
2 term of the contract<sup>1</sup>.

3 A religious employer may request, and an insurer shall grant, an  
4 exclusion under the policy for the coverage required by this section  
5 if the required coverage conflicts with the religious employer's bona  
6 fide religious beliefs and practices. A religious employer that  
7 obtains such an exclusion shall provide written notice thereof to  
8 prospective insureds and insureds. The provisions of this section  
9 shall not be construed as authorizing an insurer to exclude coverage  
10 for prescription drugs that are prescribed for reasons other than  
11 contraceptive purposes or for prescription female contraceptives  
12 that are necessary to preserve the life or health of an insured. For  
13 the purposes of this section, "religious employer" means an  
14 employer that is a church, convention or association of churches or  
15 an elementary or secondary school that is controlled, operated or  
16 principally supported by a church or by a convention or association  
17 of churches as defined in 26 U.S.C.s.3121(w)(3)(A), and that  
18 qualifies as a tax-exempt organization under 26 U.S.C.s.501(c)(3).

19 The benefits shall be provided to the same extent as for any other  
20 outpatient prescription drug under the policy.

21 This section shall apply to those policies in which the insurer has  
22 reserved the right to change the premium.

23 (cf: P.L.2005, c.251, s.5)

24  
25 6. Section 6 of P.L.2005, c.251 (C.26:2J-4.30) is amended to  
26 read as follows:

27 6. A certificate of authority to establish and operate a health  
28 maintenance organization in this State shall not be issued or  
29 continued on or after the effective date of this act for a health  
30 maintenance organization that provides health care services for  
31 outpatient prescription drugs under a contract, unless the health  
32 maintenance organization also provides health care services for  
33 prescription female contraceptives. For the purposes of this section,  
34 "prescription female contraceptives" means any drug or device used  
35 for contraception by a female, which is approved by the federal  
36 Food and Drug Administration for that purpose, that can only be  
37 purchased in this State with a prescription written by a health care  
38 professional licensed or authorized to write prescriptions, and  
39 includes, but is not limited to, birth control pills and diaphragms.  
40 The coverage provided shall include prescriptions for dispensing  
41 contraceptives for:

42 a. a three-month period for the first dispensing of the  
43 contraceptive; and

44 b. a <sup>1</sup>["twelve-month"] six-month<sup>1</sup> period for any subsequent  
45 dispensing of the same contraceptive, regardless of whether  
46 coverage under the contract was in effect at the time of the first  
47 dispensing <sup>1</sup>, except that an entity subject to this section may  
48 provide coverage for a supply of contraceptives that is for less than

1 a six-month period, if a six-month period would extend beyond the  
2 term of the contract<sup>1</sup>.

3 A religious employer may request, and a health maintenance  
4 organization shall grant, an exclusion under the contract for the  
5 health care services required by this section if the required health  
6 care services conflict with the religious employer's bona fide  
7 religious beliefs and practices. A religious employer that obtains  
8 such an exclusion shall provide written notice thereof to prospective  
9 enrollees and enrollees. The provisions of this section shall not be  
10 construed as authorizing a health maintenance organization to  
11 exclude health care services for prescription drugs that are  
12 prescribed for reasons other than contraceptive purposes or for  
13 prescription female contraceptives that are necessary to preserve the  
14 life or health of an enrollee. For the purposes of this section,  
15 "religious employer" means an employer that is a church,  
16 convention or association of churches or an elementary or  
17 secondary school that is controlled, operated or principally  
18 supported by a church or by a convention or association of churches  
19 as defined in 26 U.S.C.s.3121(w)(3)(A), and that qualifies as a tax-  
20 exempt organization under 26 U.S.C.s.501(c)(3).

21 The health care services shall be provided to the same extent as  
22 for any other outpatient prescription drug under the contract.

23 The provisions of this section shall apply to those contracts for  
24 health care services by health maintenance organizations under  
25 which the right to change the schedule of charges for enrollee  
26 coverage is reserved.

27 (cf: P.L.2005, c.251, s.6)

28

29 7. Section 7 of P.L.2005, c.251 (C.17B:27A-7.12) is amended  
30 to read as follows:

31 7. An individual health benefits plan required pursuant to  
32 section 3 of P.L.1992, c.161 (C.17B:27A-4) that provides benefits  
33 for expenses incurred in the purchase of outpatient prescription  
34 drugs shall provide coverage for expenses incurred in the purchase  
35 of prescription female contraceptives. For the purposes of this  
36 section, "prescription female contraceptives" means any drug or  
37 device used for contraception by a female, which is approved by the  
38 federal Food and Drug Administration for that purpose, that can  
39 only be purchased in this State with a prescription written by a  
40 health care professional licensed or authorized to write  
41 prescriptions, and includes, but is not limited to, birth control pills  
42 and diaphragms. The coverage provided shall include prescriptions  
43 for dispensing contraceptives for:

44 a. a three-month period for the first dispensing of the  
45 contraceptive; and

46 b. a <sup>1</sup>["twelve-month"] six-month<sup>1</sup> period for any subsequent  
47 dispensing of the same contraceptive, regardless of whether  
48 coverage under the plan was in effect at the time of the first

1 dispensing<sup>1</sup>, except that an entity subject to this section may  
2 provide coverage for a supply of contraceptives that is for less than  
3 a six-month period, if a six-month period would extend beyond the  
4 term of the contract<sup>1</sup>.

5 A religious employer may request, and a carrier shall grant, an  
6 exclusion under the health benefits plan for the coverage required  
7 by this section if the required coverage conflicts with the religious  
8 employer's bona fide religious beliefs and practices. A religious  
9 employer that obtains such an exclusion shall provide written notice  
10 thereof to prospective covered persons and covered persons. The  
11 provisions of this section shall not be construed as authorizing a  
12 carrier to exclude coverage for prescription drugs that are  
13 prescribed for reasons other than contraceptive purposes or for  
14 prescription female contraceptives that are necessary to preserve the  
15 life or health of a covered person. For the purposes of this section,  
16 "religious employer" means an employer that is a church,  
17 convention or association of churches or an elementary or  
18 secondary school that is controlled, operated or principally  
19 supported by a church or by a convention or association of churches  
20 as defined in 26 U.S.C.s.3121(w)(3)(A), and that qualifies as a tax-  
21 exempt organization under 26 U.S.C.s.501(c)(3).

22 The benefits shall be provided to the same extent as for any other  
23 outpatient prescription drug under the health benefits plan.

24 This section shall apply to all individual health benefits plans in  
25 which the carrier has reserved the right to change the premium.

26 (cf: P.L.2005, c.251, s.7)

27

28 8. Section 8 of P.L.2005, c.251 (C.17B:27A-19.15) is amended  
29 to read as follows:

30 8. A small employer health benefits plan required pursuant to  
31 section 3 of P.L.1992, c.162 (C.17B:27A-19) that provides benefits  
32 for expenses incurred in the purchase of outpatient prescription  
33 drugs shall provide coverage for expenses incurred in the purchase  
34 of prescription female contraceptives. For the purposes of this  
35 section, "prescription female contraceptives" means any drug or  
36 device used for contraception by a female, which is approved by the  
37 federal Food and Drug Administration for that purpose, that can  
38 only be purchased in this State with a prescription written by a  
39 health care professional licensed or authorized to write  
40 prescriptions, and includes, but is not limited to, birth control pills  
41 and diaphragms. The coverage provided shall include prescriptions  
42 for dispensing contraceptives for:

43 a. a three-month period for the first dispensing of the  
44 contraceptive; and

45 b. a **twelve-month** six-month<sup>1</sup> period for any subsequent  
46 dispensing of the same contraceptive, regardless of whether  
47 coverage under the plan was in effect at the time of the first  
48 dispensing<sup>1</sup>, except that an entity subject to this section may



1 provide coverage for a supply of contraceptives that is for less than  
2 a six-month period, if a six-month period would extend beyond the  
3 term of the contract<sup>1</sup>.

4 A religious employer may request, and a carrier shall grant, an  
5 exclusion under the health benefits plan for the coverage required  
6 by this section if the required coverage conflicts with the religious  
7 employer's bona fide religious beliefs and practices. A religious  
8 employer that obtains such an exclusion shall provide written notice  
9 thereof to prospective covered persons and covered persons. The  
10 provisions of this section shall not be construed as authorizing a  
11 carrier to exclude coverage for prescription drugs that are  
12 prescribed for reasons other than contraceptive purposes or for  
13 prescription female contraceptives that are necessary to preserve the  
14 life or health of a covered person. For the purposes of this section,  
15 "religious employer" means an employer that is a church,  
16 convention or association of churches or an elementary or  
17 secondary school that is controlled, operated or principally  
18 supported by a church or by a convention or association of churches  
19 as defined in 26 U.S.C.s.3121(w)(3)(A), and that qualifies as a tax-  
20 exempt organization under 26 U.S.C.s.501(c)(3).

21 The benefits shall be provided to the same extent as for any other  
22 outpatient prescription drug under the health benefits plan.

23 This section shall apply to all small employer health benefits  
24 plans in which the carrier has reserved the right to change the  
25 premium.

26 (cf: P.L.2005, c.251, s.8)

27

28 9. Section 9 of P.L.2005, c.251 (C.17:48F-13.2) is amended to  
29 read as follows:

30 9. A prepaid prescription service organization that provides  
31 benefits for expenses incurred in the purchase of outpatient  
32 prescription drugs under a contract shall provide coverage under  
33 every such contract delivered, issued, executed or renewed in this  
34 State or approved for issuance or renewal in this State by the  
35 Commissioner of Banking and Insurance, on or after the effective  
36 date of this act, for expenses incurred in the purchase of  
37 prescription female contraceptives. For the purposes of this section,  
38 "prescription female contraceptives" means any drug or device used  
39 for contraception by a female, which is approved by the federal  
40 Food and Drug Administration for that purpose, that can only be  
41 purchased in this State with a prescription written by a health care  
42 professional licensed or authorized to write prescriptions, and  
43 includes, but is not limited to, birth control pills and diaphragms.  
44 The coverage provided shall include prescriptions for dispensing  
45 contraceptives for:

46 a. a three-month period for the first dispensing of the  
47 contraceptive; and

1       b. a <sup>1</sup>["twelve-month"] six-month<sup>1</sup> period for any subsequent  
2 dispensing of the same contraceptive, regardless of whether  
3 coverage under the contract was in effect at the time of the first  
4 dispensing <sup>1</sup>, except that an entity subject to this section may  
5 provide coverage for a supply of contraceptives that is for less than  
6 a six-month period, if a six-month period would extend beyond the  
7 term of the contract<sup>1</sup>.

8       A religious employer may request, and a prepaid prescription  
9 service organization shall grant, an exclusion under the contract for  
10 the coverage required by this section if the required coverage  
11 conflicts with the religious employer's bona fide religious beliefs  
12 and practices. A religious employer that obtains such an exclusion  
13 shall provide written notice thereof to prospective enrollees and  
14 enrollees. The provisions of this section shall not be construed as  
15 authorizing a prepaid prescription service organization to exclude  
16 coverage for prescription drugs that are prescribed for reasons other  
17 than contraceptive purposes or for prescription female  
18 contraceptives that are necessary to preserve the life or health of an  
19 enrollee. For the purposes of this section, "religious employer"  
20 means an employer that is a church, convention or association of  
21 churches or an elementary or secondary school that is controlled,  
22 operated or principally supported by a church or by a convention or  
23 association of churches as defined in 26 U.S.C.s.3121(w)(3)(A),  
24 and that qualifies as a tax-exempt organization under 26  
25 U.S.C.s.501(c)(3).

26       The benefits shall be provided to the same extent as for any other  
27 outpatient prescription drug under the contract.

28       This section shall apply to those prepaid prescription contracts in  
29 which the prepaid prescription service organization has reserved the  
30 right to change the premium.

31 (cf: P.L.2005, c.251, s.9)

32  
33       10. Section 10 of P.L.2005, c.251 (C.52:14-17.29j) is amended  
34 to read as follows:

35       10. The State Health Benefits Commission shall ensure that  
36 every contract purchased by the commission on or after the  
37 effective date of this act that provides benefits for expenses  
38 incurred in the purchase of outpatient prescription drugs shall  
39 provide benefits for expenses incurred in the purchase of  
40 prescription female contraceptives.

41       For the purposes of this section, "prescription female  
42 contraceptives" means any drug or device used for contraception by  
43 a female, which is approved by the federal Food and Drug  
44 Administration for that purpose, that can only be purchased in this  
45 State with a prescription written by a health care professional  
46 licensed or authorized to write prescriptions, and includes, but is  
47 not limited to, birth control pills and diaphragms. The coverage

1 provided shall include prescriptions for dispensing contraceptives  
2 for:  
3 a. a three-month period for the first dispensing of the  
4 contraceptive; and  
5 b. a ~~twelve-month~~ six-month<sup>1</sup> period for any subsequent  
6 dispensing of the same contraceptive, regardless of whether  
7 coverage under the contract was in effect at the time of the first  
8 dispensing <sup>1</sup>, except that an entity subject to this section may  
9 provide coverage for a supply of contraceptives that is for less than  
10 a six-month period, if a six-month period would extend beyond the  
11 term of the contract<sup>1</sup>.

12 (cf: P.L.2005, c.251, s.10)

13  
14 11. This act shall take effect on the 90<sup>th</sup> day next following  
15 enactment and shall apply to policies and contracts delivered,  
16 issued, executed or renewed on or after the effective date of this act.

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21 \_\_\_\_\_  
22 Requires health insurance coverage for contraceptives to include  
prescriptions for six months.