

SENATE, No. 413

STATE OF NEW JERSEY 219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

Senator SHIRLEY K. TURNER

District 15 (Hunterdon and Mercer)

Senator M. TERESA RUIZ

District 29 (Essex)

Co-Sponsored by:

Senator Greenstein

SYNOPSIS

Expands requirement for health insurers to cover prescriptions for contraceptives to 12 months.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



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 **【six-month】** 12-month 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, except that an entity subject to this section may provide
31 coverage for a supply of contraceptives that is for less than a **【six-**
32 **month】** 12-month period, if a **【six-month】** 12-month period would
33 extend beyond the term of the contract.

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
41 authorizing a hospital service corporation to exclude coverage for
42 prescription drugs that are prescribed for reasons other than
43 contraceptive purposes or for prescription female contraceptives
44 that are necessary to preserve the life or health of a subscriber. For
45 the purposes of this section, "religious employer" means an

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.

1 employer that is a church, convention or association of churches or
2 an elementary or secondary school that is controlled, operated or
3 principally supported by a church or by a convention or association
4 of churches as defined in 26 U.S.C.s.3121(w)(3)(A), and that
5 qualifies as a tax-exempt organization under 26 U.S.C.s.501(c)(3).

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

8 This section shall apply to those contracts in which the hospital
9 service corporation has reserved the right to change the premium.

10 (cf: P.L.2017, c.241, s.1)

11
12 2. Section 2 of P.L.2005, c.251 (C.17:48A-7bb) is amended to
13 read as follows:

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

30 a. a three-month period for the first dispensing of the
31 contraceptive; and

32 b. a **【six-month】** 12-month period for any subsequent
33 dispensing of the same contraceptive, regardless of whether
34 coverage under the contract was in effect at the time of the first
35 dispensing, except that an entity subject to this section may provide
36 coverage for a supply of contraceptives that is for less than a **【six-**
37 **month】** 12-month period, if a **【six-month】** 12-month period would
38 extend beyond the term of the contract.

39 A religious employer may request, and a medical service
40 corporation shall grant, an exclusion under the contract for the
41 coverage required by this section if the required coverage conflicts
42 with the religious employer's bona fide religious beliefs and
43 practices. A religious employer that obtains such an exclusion shall
44 provide written notice thereof to prospective subscribers and
45 subscribers. The provisions of this section shall not be construed as
46 authorizing a medical service corporation to exclude coverage for
47 prescription drugs that are prescribed for reasons other than
48 contraceptive purposes or for prescription female contraceptives

1 that are necessary to preserve the life or health of a subscriber. For
2 the purposes of this section, "religious employer" means an
3 employer that is a church, convention or association of churches or
4 an elementary or secondary school that is controlled, operated or
5 principally supported by a church or by a convention or association
6 of churches as defined in 26 U.S.C.s.3121(w)(3)(A), and that
7 qualifies as a tax-exempt organization under 26 U.S.C.s.501(c)(3).

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

10 This section shall apply to those contracts in which the medical
11 service corporation has reserved the right to change the premium.
12 (cf: P.L.2017, c.241, s.2)

13
14 3. Section 3 of P.L.2005, c.251 (C.17:48E-35.29) is amended
15 to read as follows:

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

32 a. a three-month period for the first dispensing of the
33 contraceptive; and

34 b. a **【six-month】** 12-month period for any subsequent
35 dispensing of the same contraceptive, regardless of whether
36 coverage under the contract was in effect at the time of the first
37 dispensing, except that an entity subject to this section may provide
38 coverage for a supply of contraceptives that is for less than a **【six-**
39 **month】** 12-month period, if a **【six-month】** 12-month period would
40 extend beyond the term of the contract.

41 A religious employer may request, and a health service
42 corporation shall grant, an exclusion under the contract for the
43 coverage required by this section if the required coverage conflicts
44 with the religious employer's bona fide religious beliefs and
45 practices. A religious employer that obtains such an exclusion shall
46 provide written notice thereof to prospective subscribers and
47 subscribers. The provisions of this section shall not be construed as
48 authorizing a health service corporation to exclude coverage for

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

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

12 This section shall apply to those contracts in which the health
13 service corporation has reserved the right to change the premium.
14 (cf: P.L.2017 c.241, s.3)

15
16 4. Section 4 of P.L.2005, c.251 (C.17B:27-46.1ee) is amended
17 to read as follows:

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

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

36 b. a **【six-month】** 12-month period for any subsequent
37 dispensing of the same contraceptive, regardless of whether
38 coverage under the policy was in effect at the time of the first
39 dispensing, except that an entity subject to this section may provide
40 coverage for a supply of contraceptives that is for less than a **【six-**
41 **month】** 12-month period, if a **【six-month】** 12-month period would
42 extend beyond the term of the contract.

43 A religious employer may request, and an insurer shall grant, an
44 exclusion under the policy for the coverage required by this section
45 if the required coverage conflicts with the religious employer's bona
46 fide religious beliefs and practices. A religious employer that
47 obtains such an exclusion shall provide written notice thereof to
48 prospective insureds and insureds. The provisions of this section

1 shall not be construed as authorizing an insurer to exclude coverage
2 for 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 an insured. 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 policy.

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

15 (cf: P.L.2017, c.241, s.4)

16

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

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

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

37 b. a **【six-month】** 12-month period for any subsequent
38 dispensing of the same contraceptive, regardless of whether
39 coverage under the policy was in effect at the time of the first
40 dispensing, except that an entity subject to this section may provide
41 coverage for a supply of contraceptives that is for less than a **【six-**
42 **month】** 12-month period, if a **【six-month】** 12-month period would
43 extend beyond the term of the contract.

44 A religious employer may request, and an insurer shall grant, an
45 exclusion under the policy for the coverage required by this section
46 if the required coverage conflicts with the religious employer's bona
47 fide religious beliefs and practices. A religious employer that
48 obtains such an exclusion shall provide written notice thereof to

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

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

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

16 (cf: P.L.2017, c.241, s.5)

17

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

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

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

37 b. a **【six-month】** 12-month 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, except that an entity subject to this section may provide
41 coverage for a supply of contraceptives that is for less than a **【six-**
42 **month】** 12-month period, if a **【six-month】** 12-month period would
43 extend beyond the term of the contract.

44 A religious employer may request, and a health maintenance
45 organization shall grant, an exclusion under the contract for the
46 health care services required by this section if the required health
47 care services conflict with the religious employer's bona fide
48 religious beliefs and practices. A religious employer that obtains

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

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

16 The provisions of this section shall apply to those contracts for
17 health care services by health maintenance organizations under
18 which the right to change the schedule of charges for enrollee
19 coverage is reserved.

20 (cf: P.L.2017, c.241, s.6)

21

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

24 7. An individual health benefits plan required pursuant to
25 section 3 of P.L.1992, c.161 (C.17B:27A-4) that provides benefits
26 for expenses incurred in the purchase of outpatient prescription
27 drugs shall provide coverage 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 **【six-month】** 12-month period for any subsequent
40 dispensing of the same contraceptive, regardless of whether
41 coverage under the plan was in effect at the time of the first
42 dispensing, except that an entity subject to this section may provide
43 coverage for a supply of contraceptives that is for less than a **【six-**
44 **month】** 12-month period, if a **【six-month】** 12-month period would
45 extend beyond the term of the contract.

46 A religious employer may request, and a carrier shall grant, an
47 exclusion under the health benefits plan for the coverage required
48 by this section if the required coverage conflicts with the religious

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

17 This section shall apply to all individual health benefits plans in
18 which the carrier has reserved the right to change the premium.
19 (cf: P.L.2017, c.241, s.7)

20

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

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

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

38 b. a **【six-month】** 12-month period for any subsequent
39 dispensing of the same contraceptive, regardless of whether
40 coverage under the plan was in effect at the time of the first
41 dispensing, except that an entity subject to this section may provide
42 coverage for a supply of contraceptives that is for less than a **【six-**
43 **month】** 12-month period, if a **【six-month】** 12-month period would
44 extend beyond the term of the contract.

45 A religious employer may request, and a carrier shall grant, an
46 exclusion under the health benefits plan for the coverage required
47 by this section if the required coverage conflicts with the religious
48 employer's bona fide religious beliefs and practices. A religious

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

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

16 This section shall apply to all small employer health benefits
17 plans in which the carrier has reserved the right to change the
18 premium.

19 (cf: P.L.2017, c.241, s.8)

20

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

23 9. A prepaid prescription service organization that provides
24 benefits for expenses incurred in the purchase of outpatient
25 prescription drugs under a contract shall provide coverage under
26 every such contract 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 **【six-month】** 12-month period for any subsequent
42 dispensing of the same contraceptive, regardless of whether
43 coverage under the contract was in effect at the time of the first
44 dispensing, except that an entity subject to this section may provide
45 coverage for a supply of contraceptives that is for less than a **【six-**
46 **month】** 12-month period, if a **【six-month】** 12-month period would
47 extend beyond the term of the contract.

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

21 This section shall apply to those prepaid prescription contracts in
22 which the prepaid prescription service organization has reserved the
23 right to change the premium.

24 (cf: P.L.2017, c.241, s.9)

25

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

28 10. The State Health Benefits Commission shall ensure that
29 every contract purchased by the commission on or after the
30 effective date of this act that provides benefits for expenses
31 incurred in the purchase of outpatient prescription drugs shall
32 provide benefits for expenses incurred in the purchase of
33 prescription female contraceptives.

34 For the purposes of this section, "prescription female
35 contraceptives" means any drug or device used for contraception by
36 a female, which is approved by the federal Food and Drug
37 Administration for that purpose, that can only be purchased in this
38 State with a prescription written by a health care professional
39 licensed or authorized to write prescriptions, and includes, but is
40 not limited to, birth control pills and diaphragms. The coverage
41 provided shall include prescriptions for dispensing contraceptives
42 for:

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

45 b. a **【six-month】** 12-month period for any subsequent
46 dispensing of the same contraceptive, regardless of whether
47 coverage under the contract was in effect at the time of the first
48 dispensing, except that an entity subject to this section may provide

1 coverage for a supply of contraceptives that is for less than a **【six-**
2 **month】** 12-month period, if a **【six-month】** 12-month period would
3 extend beyond the term of the contract.

4 (cf: P.L.2017, c.241, s.10)

5
6 11. This act shall take effect on the 90th day next following
7 enactment and shall apply to policies and contracts delivered,
8 issued, executed or renewed on or after the effective date of this act.

9
10
11 STATEMENT

12
13 This bill amends P.L.2005, c.251, the statute requiring health
14 insurers that provide coverage for outpatient prescription drugs to
15 cover prescription female contraceptives, to increase the
16 requirement for coverage of dispensing contraceptives from up to
17 six months to up to 12 months.

18 Current law, pursuant to P.L.2017, c.241, requires health insurers
19 that provide coverage for outpatient prescription drugs to cover
20 dispensing of prescription female contraceptives for up to six
21 months. This bill would increase that requirement to 12 months.

22 Under the bill, the coverage provided shall include prescriptions
23 for dispensing contraceptives for: (1) a three-month period for the
24 first dispensing of the contraceptive; and (2) a 12-month period for
25 any subsequent dispensing of the same contraceptive, regardless of
26 whether coverage under that policy or contract was in effect at the
27 time of the first dispensing.

28 These amendments apply to hospital, medical, and health service
29 corporations, commercial, individual, small employer and group
30 health insurers, health maintenance organizations, prepaid
31 prescription service organizations, and the State Health Benefits
32 Program.