

Amendment to SB 421

1 Amend RSA 415:6-v as inserted by section 1 of the bill by replacing it with the following:

2
3 415:6-v Coverage for Prescription Contraceptive Drugs and Prescription Contraceptive Devices
4 and for Contraceptive Services. Each insurer that issues or renews any individual policy of accident
5 or health insurance providing benefits for medical or hospital expenses, shall provide to certificate
6 holders of such insurance, who are residents of this state, coverage for outpatient contraceptive
7 services under the same terms and conditions as for other outpatient services. "Outpatient
8 contraceptive services" means consultations, examinations, and medical services, provided on an
9 outpatient basis and related to the use of contraceptive methods to prevent pregnancy which has
10 been approved by the U.S. Food and Drug Administration. Each insurer that issues or renews any
11 individual policy of accident or health insurance providing benefits for medical or hospital expenses
12 shall cover all prescription contraceptive drugs and contraceptive devices approved by the U.S. Food
13 and Drug Administration. Coverage shall include contraceptives dispensed in a quantity intended
14 to last for a 12-month period if prescribed in that quantity. An insurer shall not impose utilization
15 review requirements or other limitations to control the prescribing or dispensing of contraceptives
16 to an amount that is less than a 12-month supply, if that quantity is prescribed. An insurer shall
17 not be required to cover more than one 12-month contraceptive prescription in a single dispensing
18 per plan year. A deductible, copayment, coinsurance, or other cost-sharing requirement shall not be
19 imposed on the coverage of prescription contraceptive drugs and contraceptive devices approved by
20 the FDA under this section. Notwithstanding any other provision of law, if there is a therapeutic
21 equivalent of a drug or device for an FDA-approved contraceptive method, an insurer may impose
22 cost-sharing requirements as long as at least one drug or device for that method is available without
23 cost-sharing; provided that if an individual's provider recommends a particular FDA-approved
24 contraceptive drug or device based on a medical determination, the insurer shall provide coverage
25 for the prescribed contraceptive drug or device without cost-sharing. Nothing in this section shall be
26 construed as altering the terms and conditions of a contract relating to prescription drugs and
27 outpatient services. Notwithstanding any provision of law or rule to the contrary, the coverage
28 under this section shall apply to the medical assistance program, pursuant to RSA 161 and RSA
29 167.

30
31 Amend RSA 415:18-i as inserted by section 2 of the bill by replacing it with the following:

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1 415:18-i Coverage for Prescription Contraceptive Drugs and Prescription Contraceptive Devices
2 and for Contraceptive Services. Each insurer that issues or renews any group policy of accident or
3 health insurance providing benefits for medical or hospital expenses, which provides coverage for
4 outpatient services shall provide to each group, or to the portion of each group comprised of
5 certificate holders of such insurance who are residents of this state, coverage for outpatient
6 contraceptive services under the same terms and conditions as for other outpatient services.
7 "Outpatient contraceptive services" means consultations, examinations, and medical services,
8 provided on an outpatient basis and related to the use of contraceptive methods to prevent
9 pregnancy which has been approved by the U.S. Food and Drug Administration. Each insurer that
10 issues or renews any policy of group accident or health insurance providing benefits for medical or
11 hospital expenses [~~which provides a prescription rider~~] shall cover all prescription contraceptive
12 drugs and prescription contraceptive devices approved by the U.S. Food and Drug Administration
13 [~~under the same terms and conditions as other prescription drugs~~]. ***Coverage shall include***
14 ***contraceptives dispensed in a quantity intended to last for a 12-month period, if***
15 ***prescribed in that quantity. An insurer shall not impose utilization review requirements***
16 ***or other limitations to control the prescribing or dispensing of contraceptives to an***
17 ***amount that is less than a 12-month supply, if that quantity is prescribed. An insurer***
18 ***shall not be required to cover more than one 12-month contraceptive prescription in a***
19 ***single dispensing per plan year. A deductible, copayment, coinsurance, or other cost-***
20 ***sharing requirement shall not be imposed on the coverage of prescription contraceptive***
21 ***drugs and contraceptive devices approved by the FDA under this section.***
22 ***Notwithstanding any other provision of law, if there is a therapeutic equivalent of a drug***
23 ***or device for an FDA-approved contraceptive method, an insurer may impose cost-sharing***
24 ***requirements as long as at least one drug or device for that method is available without***
25 ***cost-sharing; provided that if an individual's provider recommends a particular FDA-***
26 ***approved contraceptive drug or device based on a medical determination, the insurer***
27 ***shall provide coverage for the prescribed contraceptive drug or device without cost-***
28 ***sharing.*** Nothing in this section shall be construed as altering the terms and conditions of a
29 contract relating to prescription drugs and outpatient services. ***Notwithstanding any provision***
30 ***of law or rule to the contrary, the coverage under this section shall apply to the medical***
31 ***assistance program, pursuant to RSA 161 and RSA 167.***

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33 Amend RSA 420-A:17-c as inserted by section 3 of the bill by replacing it with the following:
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35 420-A:17-c Coverage for Prescription Contraceptive Drugs and Prescription Contraceptive
36 Devices and for Contraceptive Services. Every health service corporation and every other similar
37 corporation licensed under the laws of another state that issues or renews any policy of group

1 accident or health insurance providing benefits for medical or hospital expenses, which provides
2 coverage for outpatient services shall provide to each group, or to the portion of each group
3 comprised of certificate holders of such insurance who are residents of this state, coverage for
4 outpatient contraceptive services under the same terms and conditions as for other outpatient
5 services. "Outpatient contraceptive services" means consultations, examinations, and medical
6 services, provided on an outpatient basis and related to the use of contraceptive methods to prevent
7 pregnancy which has been approved by the U.S. Food and Drug Administration. Each health
8 service corporation and every other similar corporation licensed under the laws of a different state
9 that issues or renews any group policy of accident or health insurance providing benefits for
10 medical or hospital expenses [~~which provides a prescription rider~~] shall cover all prescription
11 contraceptive drugs and prescription contraceptive devices approved by the U.S. Food and Drug
12 Administration [~~under the same terms and conditions as other prescription drugs~~]. ***Coverage***
13 ***shall include contraceptives dispensed in a quantity intended to last for a 12-month***
14 ***period, if prescribed in that quantity. An insurer shall not impose utilization review***
15 ***requirements or other limitations to control the prescribing or dispensing of***
16 ***contraceptives to an amount that is less than a 12-month supply, if that quantity is***
17 ***prescribed. An insurer shall not be required to cover more than one 12-month***
18 ***contraceptive prescription in a single dispensing per plan year. A deductible, copayment,***
19 ***coinsurance, or other cost-sharing requirement shall not be imposed on the coverage of***
20 ***prescription contraceptive drugs and contraceptive devices approved by the FDA under***
21 ***this section. Notwithstanding any other provision of law, if there is a therapeutic***
22 ***equivalent of a drug or device for an FDA-approved contraceptive method, an insurer may***
23 ***impose cost-sharing requirements as long as at least one drug or device for that method is***
24 ***available without cost-sharing; provided that if an individual's provider recommends a***
25 ***particular FDA-approved contraceptive drug or device based on a medical determination,***
26 ***the insurer shall provide coverage for the prescribed contraceptive drug or device without***
27 ***cost-sharing.*** Nothing in this section shall be construed as altering the terms and conditions of a
28 contract relating to prescription drugs and outpatient services. ***Notwithstanding any provision***
29 ***of law or rule to the contrary, the coverage under this section shall apply to the medical***
30 ***assistance program, pursuant to RSA 161 and RSA 167.***