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INSURANCE AND FINANCIAL SERVICES

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**STATE OF MAINE
HOUSE OF REPRESENTATIVES
128TH LEGISLATURE
FIRST REGULAR SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 860, L.D. 1237, Bill, “An Act To Require Insurance Coverage for Contraceptive Supplies”

Amend the bill by striking out everything after the enacting clause and before the summary and inserting the following:

'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 contraceptive supplies in accordance with the following requirements. For purposes of this section, "contraceptive supplies" means all contraceptive drugs, devices and products approved by the federal Food and Drug Administration to prevent an unwanted pregnancy.

A. Coverage must be provided without any deductible, coinsurance, copayment or other cost-sharing requirement for at least one contraceptive supply within each method of contraception that is identified by the federal Food and Drug Administration to prevent an unwanted pregnancy and prescribed by a health care provider.

B. If there is a therapeutic equivalent of a contraceptive supply within a contraceptive method approved by the federal Food and Drug Administration, an insurer may provide coverage for more than one contraceptive supply and may impose cost-sharing requirements as long as at least one contraceptive supply within that method is available without cost sharing.

C. If an individual's health care provider recommends a particular contraceptive supply approved by the federal Food and Drug Administration for the individual based on a determination of medical necessity, the insurer shall defer to the provider's determination and judgment and shall provide coverage without cost sharing for the prescribed contraceptive supply.

D. Coverage must be provided for the furnishing or dispensing of prescribed contraceptive supplies intended to last for a 12-month period, which may be

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1 furnished or dispensed all at once or over the course of the 12 months at the
2 discretion of the health care provider.

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

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

9 A. Coverage must be provided without any deductible, coinsurance, copayment or
10 other cost-sharing requirement for at least one contraceptive supply within each
11 method of contraception that is identified by the federal Food and Drug
12 Administration to prevent an unwanted pregnancy and prescribed by a health care
13 provider.

14 B. If there is a therapeutic equivalent of a contraceptive supply within a
15 contraceptive method approved by the federal Food and Drug Administration, an
16 insurer may provide coverage for more than one contraceptive supply and may
17 impose cost-sharing requirements as long as at least one contraceptive supply within
18 that method is available without cost sharing.

19 C. If an individual's health care provider recommends a particular contraceptive
20 supply approved by the federal Food and Drug Administration for the individual
21 based on a determination of medical necessity, the insurer shall defer to the provider's
22 determination and judgment and shall provide coverage without cost sharing for the
23 prescribed contraceptive supply.

24 D. Coverage must be provided for the furnishing or dispensing of prescribed
25 contraceptive supplies intended to last for a 12-month period, which may be
26 furnished or dispensed all at once or over the course of the 12 months at the
27 discretion of the health care provider.

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

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

34 A. Coverage must be provided without any deductible, coinsurance, copayment or
35 other cost-sharing requirement for at least one contraceptive supply within each
36 method of contraception that is identified by the federal Food and Drug
37 Administration to prevent an unwanted pregnancy and prescribed by a health care
38 provider.

39 B. If there is a therapeutic equivalent of a contraceptive supply within a
40 contraceptive method approved by the federal Food and Drug Administration, a
41 health maintenance organization may provide coverage for more than one
42 contraceptive supply and may impose cost-sharing requirements as long as at least
43 one contraceptive supply within that method is available without cost sharing.

