

# Hall of the House of Representatives

85th General Assembly - Regular Session, 2005

## Amendment Form

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### Subtitle of House Bill No. 2618

"THE EQUITY IN PRESCRIPTION INSURANCE AND CONTRACEPTIVE COVERAGE  
ACT."

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### Amendment No. 1 to House Bill No. 2618.

Amend House Bill No. 2618 as originally introduced:

Page 1, delete lines 29 through 36, and substitute the following:

"(1) Maternal and infant health are greatly improved when women have access to contraceptive supplies to prevent unintended pregnancies;

(2) Because many Americans hope to complete their families with two (2) or three (3) children, many women spend the majority of their reproductive lives trying to prevent pregnancy;

(3) Research has shown that forty-nine percent (49%) of all large group insurance plans do not routinely provide coverage for contraceptive drugs and devices. While virtually all health care plans cover prescription drugs generally, the absence of prescription contraceptive coverage is largely responsible for the fact that women spend sixty-eight percent (68%) more in out-of-pocket expenses for health care than men; and

(4) Requiring insurance coverage for prescription drugs and devices for contraception is in the public interest in improving the health of mothers, children, and families and in providing for health insurance coverage which is more fair and more equitable."

AND

Page 2, delete lines 1 through 8

AND

Page 2, delete lines 12 through 36, and substitute the following:

"(1)(A) "Health benefit policy" means an individual or group plan, policy, or contract for health care services issued, delivered, issued for delivery, or renewed in this state, including those contracts executed by the State of Arkansas on behalf of state employees, by a health care corporation, health maintenance organization, preferred provider organization, accident and sickness insurer, fraternal benefit society, hospital service corporation, medical service corporation, provider-sponsored health care corporation, or other insurer or similar entity.



(B) "Health benefit policy" does not include:  
(i) Accident-only, credit, specified disease, dental, hospital indemnity, Medicare supplement, long-term care, or disability income insurance policies;  
(ii) Coverage issued as a supplement to liability insurance;  
(iii) Workers' compensation or similar insurance; or  
(iv) Automobile medical-payment insurance; and  
(2) "Insurer" means an accident and sickness insurer, fraternal benefit society, hospital service corporation, medical service corporation, health care corporation, health maintenance organization, or any similar entity authorized to issue contracts under Title 23."

AND

Page 3, delete lines 3 through 12, and substitute the following:

"(a) Every health benefit policy that is delivered, issued, executed, or renewed in this state or approved for issuance or renewal in this state by the Insurance Commissioner on or after the effective date of this subchapter that provides coverage for prescription drugs on an outpatient basis shall provide coverage for any prescribed drug or device approved by the United States Food and Drug Administration for use as a contraceptive.

(b) Nothing contained in this section shall be construed to require any insurance company to provide coverage for abortion."

AND

Page 3, delete lines 15 through 35, and substitute the following:

"(a) No insurer shall impose upon any person receiving prescription contraceptive benefits pursuant to this section any:

(1) Copayment, coinsurance payment, or fee that is not equally imposed upon all individuals in the same benefit category, class, coinsurance level, or copayment level receiving benefits for prescription drugs; or

(2) Reduction in allowable reimbursement for prescription drug benefits.

(b) This section shall not be construed to:

(1) Require coverage for prescription coverage benefits in any contract, policy, or plan that does not otherwise provide coverage for prescription drugs; or

(2)(A) Preclude the use of closed formularies.

(B) However, the formularies shall include oral, implant, and injectable contraceptive drugs, intrauterine devices, and prescription barrier methods."

The Amendment was read \_\_\_\_\_  
By: Representative L. Smith  
KLL/MEM - 03-23-2005 09:01  
KLL323 \_\_\_\_\_

Chief Clerk