
HOUSE BILL 3126

State of Washington

55th Legislature

1998 Regular Session

By Representatives Wolfe, Cody, Romero, Costa, Dickerson, Gardner, Keiser, Conway, Anderson, Butler, Voloria, Kastama, Ballasiotes, Cole, Murray, Fisher, Tokuda, Constantine, Ogden, O'Brien, Radcliff, Mitchell, Hankins, K. Schmidt, Chopp, Morris, H. Sommers, Kessler and Kenney

Read first time 02/17/98. Referred to Committee on Health Care.

1 AN ACT Relating to contraceptive health care benefits; adding a new
2 section to chapter 48.43 RCW; and creating a new section.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** The legislature finds that: (1) Over half
5 of all pregnancies are unintended; (2) by reducing rates of unintended
6 pregnancy, contraceptives help reduce the need for abortion; (3)
7 unintended pregnancies lead to higher rates of infant mortality and
8 maternal morbidity, and threaten the economic viability of families;
9 (4) contraceptive services are part of basic health care, allowing
10 families to both adequately space desired pregnancies and avoid
11 unintended pregnancy; (5) many health carriers cover prescription drugs
12 and devices but exclude prescription contraceptives and contraceptive
13 devices; (6) women of child-bearing age spend significantly more than
14 men on out-of-pocket health care costs, with contraceptives and
15 reproductive health care services accounting for most of the
16 difference; and (7) lack of contraceptive coverage in health plans
17 places many effective forms of contraceptives beyond the financial
18 reach of many women, leading to unintended pregnancies.

1 The legislature intends to reduce the number of unintended
2 pregnancies and increase equity in coverage of prescription drugs and
3 devices by increasing coverage of contraception services and supplies
4 in health plans that cover prescriptions and that cover similar
5 outpatient services.

6 NEW SECTION. **Sec. 2.** A new section is added to chapter 48.43 RCW
7 to read as follows:

8 (1) A health plan issued to individuals or groups shall not exclude
9 or restrict benefits for:

10 (a) Prescription of contraceptive drugs or devices allowed under
11 Title 69 RCW or generic equivalents substitutable under chapter 69.41
12 RCW, if the health plan covers or provides other outpatient
13 prescription drugs or devices; or

14 (b) Outpatient contraceptive services if the plan covers or
15 provides other outpatient services provided by a health care provider.

16 (2) A health carrier or health plan shall not penalize an
17 individual or group for using or potentially using the contraceptive
18 benefits or services which must be provided under subsection (1) of
19 this section, shall not penalize or reduce the reimbursement of a
20 provider who prescribes contraceptive drugs or devices, or provides
21 contraceptive services, which must be provided under subsection (1) of
22 this section, and shall not provide incentives to a provider to
23 withhold contraceptive drugs, devices, or services which must be
24 provided under subsection (1) of this section.

25 (3) Regarding contraceptive drugs, devices, and services required
26 to be provided under subsection (1) of this section, nothing in this
27 section shall be construed to:

28 (a) Prevent a health plan from imposing deductibles, coinsurance,
29 other cost-sharing requirements, or other limitations in relation to
30 providing contraceptive drugs, devices, or services, except that such
31 a deductible, coinsurance, other cost-sharing requirement or other
32 limitation shall not be greater than the deductible, coinsurance, other
33 cost-sharing requirement, or other limitation for any prescription
34 drug, prescription device, or any other health outpatient health care
35 service covered under the health plan; or

36 (b) Require a health plan to cover experimental or investigative
37 contraceptive drugs, devices, or services, except that the plan must
38 cover experimental or investigative contraceptive drugs at least to the

1 same extent the plan covers any experimental or investigative
2 outpatient prescription drugs, prescription devices, or outpatient
3 health care services.

4 (4) This section applies to health plans issued or renewed on or
5 after the effective date of this act.

6 NEW SECTION. **Sec. 3.** If any provision of this act or its
7 application to any person or circumstance is held invalid, the
8 remainder of the act or the application of the provision to other
9 persons or circumstances is not affected.

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