
SENATE BILL 6376

State of Washington

55th Legislature

1998 Regular Session

By Senators Patterson, Long, Heavey, Jacobsen, Thibaudeau, Goings, Kohl and Spanel

Read first time 01/16/98. Referred to Committee on Health & Long-Term 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, low
8 birth weight, and maternal morbidity, and threaten the economic
9 viability of families; (4) contraceptive services are part of basic
10 health care, allowing families to both adequately space desired
11 pregnancies and avoid unintended pregnancy; (5) many health carriers
12 cover prescription drugs and devices but exclude prescription
13 contraceptives and contraceptive devices; (6) women of child-bearing
14 age spend significantly more than men on out-of-pocket health care
15 costs, with contraceptives and reproductive health care services
16 accounting for most of the difference; and (7) lack of contraceptive
17 coverage in health plans places many effective forms of contraceptives
18 beyond the financial reach of many women, leading to unintended
19 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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