
HOUSE BILL 1590

State of Washington

56th Legislature

1999 Regular Session

By Representatives Cody, Parlette, Veloria, Ballasiotes, Regala, Skinner, Linville, Tokuda, Mitchell, Fisher, Hankins, H. Sommers, Ruderman, Romero, Ogden, Edmonds, Santos, Schual-Berke, Grant, Kagi, Carlson, Hatfield, O'Brien, Wolfe, Murray, Conway, Dunshee, Rockefeller, Campbell, Eickmeyer, Morris, Lovick, Edwards, Reardon, Keiser, Hurst, Wood, Poulsen, Haigh, Clements, Stensen, Kastama, Cooper, Dickerson, Kenney, McIntire, Quall, Scott, Constantine, Anderson, Lantz, K. Schmidt and Kessler

Read first time 01/29/1999. 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, 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 this disparity; (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; and (8) the ability to plan her childbearing is central to

1 a woman's ability to participate on an equal basis in education and
2 employment.

3 The legislature intends to reduce the number of unintended
4 pregnancies and to ensure access to contraceptive services in health
5 plans that cover prescription drugs and outpatient health services.
6 The legislature also intends to further the goal of eliminating sex
7 discrimination in health benefits for women.

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

10 (1) A health plan issued to individuals or groups shall not exclude
11 or restrict an enrollee's access to: Prescription contraceptive drugs
12 and devices approved by the federal food and drug administration, if
13 the plan provides benefits for prescription drugs; or outpatient
14 contraceptive services, if the plan provides benefits for outpatient
15 health services.

16 (2) For the purposes of this section:

17 (a) "Prescription contraceptive drugs and devices" means
18 prescription contraceptive drugs and devices approved by the federal
19 food and drug administration, and includes oral contraceptives,
20 intrauterine devices, injectables, hormonal implants, diaphragms,
21 cervical caps, and emergency contraception.

22 (b) "Outpatient contraceptive services" means services necessary
23 for the effective use of contraception, including family planning
24 counseling, exams for inserting, removing, or dispensing prescription
25 contraceptive methods, and laboratory services.

26 (3) Except as provided in subsection (4) of this section, a health
27 carrier shall not create or impose disincentives for utilization of the
28 benefits required by subsection (1) of this section.

29 (4) This section does not:

30 (a) Prevent a health carrier from imposing deductibles,
31 coinsurance, other cost-sharing requirements, or other limitations in
32 relation to providing prescription contraceptive drugs and devices, or
33 outpatient contraceptive services. However, the deductible,
34 coinsurance, other cost-sharing requirement, or other limitation may
35 not be greater than or different from the deductible, coinsurance,
36 other cost-sharing requirement, or other limitation for other
37 prescription drugs, devices, or outpatient health care services covered
38 under the plan; or

1 (b) Require a health plan to cover experimental or investigative
2 prescription contraceptive drugs and devices, or outpatient
3 contraceptive services, except to the extent that the plan provides
4 coverage for other experimental or investigative prescription drugs,
5 devices, or outpatient health care services.

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

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

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