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HOUSE BILL NO. 1233

Offered January 22, 1996

A BILL to amend of the Code of Virginia by adding a section numbered 38.2-3407.5:1, relating to accident and sickness insurance; denial of benefits for prescription contraceptives prohibited.

Patrons—Connally, Christian, Cunningham, Jones, J.C., Melvin, Plum and Van Yahres; Senators: Couric, Houck and Howell

Referred to Committee on Corporations, Insurance and Banking

Be it enacted by the General Assembly of Virginia:**1. That § 38.2-3407.5:1 of the Code of Virginia is amended and reenacted as follows:**

§ 38.2-3407.5:1. Denial of benefits for prescription contraceptives prohibited.

A. Each (i) insurer proposing to issue individual or group accident and sickness insurance policies providing hospital, medical and surgical or major medical coverage on an expense incurred basis; (ii) corporation providing individual or group accident and sickness subscription contracts; and (iii) health maintenance organization providing a health care plan for health care services, whose policy, contract or plan, including any certificate or evidence of coverage issued in connection with such policy, contract or plan, includes coverage for prescription drugs on an outpatient basis, shall provide in each such policy, contract, plan, certificate, and evidence of coverage that such benefits will not be denied for any drug approved by the United States Food and Drug Administration for use as a contraceptive. Each such policy, contract, plan, certificate, and evidence of coverage shall include coverage for a variety of federal Food and Drug Administration approved prescription contraceptives, as designated by such policy, contract, plan, certificate, or evidence of coverage. In the event the patient's physician determines that none of the methods designated by the policy, contract, plan, certificate, or evidence of coverage is medically appropriate for the patient, the plan shall also provide coverage for another medically approved prescription contraceptive method prescribed by the patient's physician.

B. Subsection A shall not be construed to do any of the following:

1. Require coverage for experimental contraceptive drugs not approved by the United States Food and Drug Administration.

2. Require coverage for prescription drugs in any contract, policy or plan that does not otherwise provide such coverage.

C. The provisions of this section shall not apply to short-term travel, or accident-only policies, or to short-term nonrenewable policies of not more than six months' duration.

D. The provisions of this section are applicable to contracts, policies or plans delivered, issued for delivery or renewed in this Commonwealth on and after July 1, 1996.

INTRODUCED

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