

Adopted	Rejected
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COMMITTEE REPORT

YES:	8
NO:	5

MR. SPEAKER:

*Your Committee on Insurance, Corporations and Small Business, to which was referred House Bill 1401, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 27-8-24.2 IS ADDED TO THE INDIANA
- 4 CODE AS A NEW CHAPTER TO READ AS FOLLOWS
- 5 [EFFECTIVE JULY 1, 1998]:
- 6 **Chapter 24.2. Contraceptive Coverage**
- 7 **Sec. 1. As used in this chapter, "contraceptive" means any**
- 8 **prescription contraceptive drug, device, or service approved by the**
- 9 **United States Food and Drug Administration that is:**
- 10 **(1) intended to prevent pregnancy, including any medically**
- 11 **necessary or appropriate consultation, examination,**
- 12 **procedure, or medical service;**
- 13 **(2) provided on an outpatient basis; and**
- 14 **(3) related to the use of contraceptive methods to prevent an**
- 15 **unintended pregnancy.**

- 1 **The term does not include abortion (as defined in IC 16-18-2-1).**
- 2 **Sec. 2. As used in this chapter, "covered person" means an**
3 **individual policy holder, a subscriber, a certificate holder, an**
4 **enrollee, or other individual who is covered by the insurance policy**
5 **of a policy holder, a subscriber, a certificate holder, or an enrollee.**
- 6 **Sec. 3. (a) As used in this chapter, "insurance policy" means a:**
7 **(1) policy of accident and sickness insurance regulated under**
8 **IC 27-8-5;**
9 **(2) health maintenance organization regulated under**
10 **IC 27-13;**
11 **(3) preferred provider plan (as defined in IC 27-8-11-1); or**
12 **(4) comprehensive health insurance policy issued under**
13 **IC 27-8-10;**
- 14 **that provides coverage under an individual or group policy or plan**
15 **issued for delivery in Indiana.**
- 16 **(b) The term does not include:**
17 **(1) an employee benefit program subject to the federal**
18 **Employee Retirement Income Security Act (29 U.S.C. 1001,**
19 **et seq.); or**
20 **(2) worker's compensation coverage for an injury to, or**
21 **occupational disease of, an employee under IC 22-3.**
- 22 **Sec. 4. As used in this chapter, "prescription drug" means any**
23 **article or substance regulated under IC 16-42-19.**
- 24 **Sec. 5. An insurance policy that provides coverage for**
25 **outpatient prescription drugs may not exclude or restrict benefits**
26 **for prescription contraceptive drugs or devices approved by the**
27 **United States Food and Drug Administration to any covered**
28 **person.**
- 29 **Sec. 6. An insurance policy that provides coverage for**
30 **outpatient services provided by a health care professional may not**
31 **exclude or restrict benefits for outpatient contraceptive services**
32 **provided by a health care professional to any covered person.**
- 33 **Sec. 7. The coverage required under this chapter may not be**
34 **subject to dollar limits, deductibles, copayments, or coinsurance**
35 **provisions that are less favorable to covered persons than the**
36 **dollar limits, deductibles, copayments, or coinsurance provisions**
37 **applying to physical illness generally under the insurance policy.**
- 38 **Sec. 8. A covered person may not be required to pay a**

1 deductible, coinsurance, or a copayment for contraceptive drugs,
 2 devices, or services that is greater than a deductible, coinsurance,
 3 or a copayment established for other prescription drugs, devices,
 4 or services under the insurance policy.

5 **Sec. 9. A covered person who receives or is eligible to receive**
 6 **contraceptive drugs, devices, or services under this chapter may**
 7 **not be required to pay a deductible, coinsurance, a copayment, or**
 8 **a fee that is greater than a deductible, coinsurance, a copayment,**
 9 **or a fee established for individuals of the same benefit category or**
 10 **class, or coinsurance or copayment level, receiving benefits for**
 11 **other prescription drugs, devices, or services.**

12 **Sec. 10. If a covered person's health care provider determines**
 13 **that contraceptive methods specifically covered under an insurance**
 14 **policy are not medically appropriate for the covered person, the**
 15 **insurance policy must provide coverage for another medically**
 16 **approved prescriptive contraceptive method prescribed by the**
 17 **covered person's health care provider.**

18 Page 4, line 4, delete "and".

19 Page 4, line 6, delete "(b)." and insert "(e); and".

20 Page 4, between lines 6 and 7, begin a new line single block
 21 indented and insert:

22 **"(3) the procedures for in vitro fertilization, gamete**
 23 **intrafallopian tube transfer, or zygote intrafallopian tube**
 24 **transfer are performed at medical facilities that conform to**
 25 **the:**

26 **(A) guidelines of the American College of Obstetricians**
 27 **and Gynecologists for in vitro fertilization; or**

28 **(B) minimal standards of the American Fertility Society**
 29 **for programs of in vitro fertilization."**

30 Page 4, after line 11, begin a new paragraph and insert:

31 **SECTION 3. [EFFECTIVE JULY 1, 1998] (a) As used in this**
 32 **SECTION, "insurance policy" means a:**

33 **(1) policy of accident and sickness insurance regulated under**
 34 **IC 27-8-5;**

35 **(2) health maintenance organization regulated under**
 36 **IC 27-13;**

37 **(3) preferred provider plan (as defined in IC 27-8-11-1); or**

38 **(4) comprehensive health insurance policy issued under**

- 1 **IC 27-8-10;**
- 2 **that provides coverage under an individual or group policy or plan**
- 3 **issued for delivery in Indiana.**
- 4 **(b) The term does not include:**
- 5 **(1) an employee benefit program subject to the federal**
- 6 **Employee Retirement Income Security Act (29 U.S.C. 1001,**
- 7 **et seq.); or**
- 8 **(2) worker's compensation coverage for an injury to, or**
- 9 **occupational disease of, an employee under IC 22-3.**
- 10 **(c) IC 27-8-24.2, as added by this act, applies to insurance**
- 11 **policies issued, delivered, executed, or renewed after June 30,**
- 12 **1998."**
- 13 Renumber all SECTIONS consecutively.
 (Reference is to HB 1401 as introduced.)

and when so amended that said bill do pass.

Representative Fry