

SENATE
STATE OF MINNESOTA
EIGHTY-SEVENTH LEGISLATURE

S.F. No. 2385

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DATE	D-PG	OFFICIAL STATUS
03/12/2012	4316	Introduction and first reading Referred to Commerce and Consumer Protection

A bill for an act
relating to insurance; requiring health plans to cover contraceptive methods,
sterilization, and related medical services, patient education, and counseling
without enrollee cost-sharing; providing certain exceptions; proposing coding for
new law in Minnesota Statutes, chapter 62Q.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. **[62Q.521] COVERAGE OF CONTRACEPTIVE METHODS AND COUNSELING.**

Subdivision 1. **Citation.** This section may be cited as the "Contraceptive Equity Act."

Subd. 2. **Scope of coverage requirement.** This section applies to all health plans, as defined in section 62Q.01, subdivision 3, that are issued or renewed to a Minnesota employer to cover employees and their dependents.

Subd. 3. **Required coverage.** A health plan described in subdivision 2 that provides prescription drug coverage must cover all Food and Drug Administration approved contraceptive methods and sterilization procedures, and related medical services, patient education, and counseling, and shall not impose any cost-sharing requirements for this coverage.

Subd. 4. **Exemption; religious and other employers.** (a) Health plans sponsored by religious employers are exempt from the requirements of subdivision 3. For purposes of this exemption, a "religious employer" is one that:

- (1) has the inculcation of religious values as its purpose;
- (2) primarily employs persons who share its religious tenets;
- (3) primarily serves persons who share its religious tenets; and

(4) is a nonprofit organization under Internal Revenue Code section 6033(a)(1) and section 6033(a)(3)(A)(i) or (iii).

(b) Nonprofit employers who, based on their institutional religious beliefs, do not currently provide the coverage required by subdivision 3 in their health plan, and who are not exempt under paragraph (a):

(1) are not required to provide the coverage required by subdivision 3 or refer their employees to organizations that provide this coverage; and

(2) shall not be required to subsidize the cost of the coverage required by subdivision 3.

(c) Health plan companies, as defined in section 62Q.01, subdivision 4, must offer the coverage required by subdivision 3 to employees of employers described in paragraph (b) directly, and must provide this coverage to these employees and their dependents free of charge.

EFFECTIVE DATE. This section is effective August 1, 2012, and applies to coverage offered, sold, issued, renewed, or continued as defined in Minnesota Statutes, section 60A.02, subdivision 2a, on or after that date.