State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION H. F. No. **3976**

02/19/2024 Authored by Hollins, Keeler, Clardy, Frazier, Sencer-Mura and others
The bill was read for the first time and referred to the Committee on Commerce Finance and Policy

1.1 A bill for an act

1.2 relating to insurance; requiring health plans to cover over-the-counter contraceptives
1.3 approved by the United States Food and Drug Administration; proposing coding
1.4 for new law in Minnesota Statutes, chapter 62Q.

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

1.6 Section 1. **[62Q.767] OVER-THE-COUNTER CONTRACEPTIVE COVERAGE.**

1.7 Subdivision 1. **Definition.** For purposes of this section, "over-the-counter contraceptive"

1.8 means a contraceptive which:

1.9 (1) may be purchased in Minnesota without a prescription by a licensed health care

1.10 professional; and

1.11 (2) has been approved as a nonprescription drug by the United States Food and Drug

1.12 Administration.

1.13 Subd. 2. **Required coverage.** A health plan must cover all over-the-counter

1.14 contraceptives.

1.15 Subd. 3. **Exception.** Notwithstanding subdivision 1, a health plan is not required to cover

1.16 a particular over-the-counter contraceptive for the benefit year in which the over-the-counter

1.17 contraceptive is approved as a nonprescription drug by the United States Food and Drug

1.18 Administration.

1.19 Subd. 4. **Prohibition on cost-sharing; limitations.** The coverage required under this

1.20 section must be provided without cost-sharing, including but not limited to deductible,

1.21 co-pay, or coinsurance. The coverage required under this section must be provided without

1.22 any limitation that is not generally applicable to other coverages under the plan.

2.1   **EFFECTIVE DATE.** This section is effective January 1, 2025, and applies to all policies,

2.2   plans, certificates, and contracts offered, issued, or renewed on or after that date.