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State of Minnesota

HOUSE OF REPRESENTATIVES

EIGHTY-SEVENTH SESSION

H. F. No. 2737

03/07/2012 Authored by Murphy, E.; Mahoney; Laine; Clark; Kahn and others
The bill was read for the first time and referred to the Committee on Commerce and Regulatory Reform

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

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

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

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

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

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

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

1.22 (1) has the inculcation of religious values as its purpose;

1.23 (2) primarily employs persons who share its religious tenets;

1.24 (3) primarily serves persons who share its religious tenets; and

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

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

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

2.8 (2) shall not be required to subsidize the cost of the coverage required by subdivision
2.9 3.

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

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