



Legislative Council Staff

Research Note

Version: Final

Date: 4/12/2016

Bill Number

House Bill 16-1294

Sponsors

*Representatives Lontine
& Esgar
Senator Guzman*

Short Title

*Contraception Coverage Public
& Private Insurance*

Research Analyst

Elizabeth Burger (x6272)

Status

This research note reflects the final version of the bill. The bill was postponed indefinitely by the Senate State, Veterans, and Military Affairs Committee on April 11, 2016.

Summary

By January 1, 2018, the bill requires health insurance plans and Medicaid managed care plans to provide coverage, without restriction or delay to patients, for the following contraceptives and services:

- all FDA-approved contraceptive drugs, devices, and other products for women, including those prescribed by the covered person's provider or otherwise authorized under state and federal law;
- voluntary sterilization procedures;
- patient education and counseling on contraception; and
- follow-up medical services related to contraception.

The contraceptive coverage required by the bill must be available to all covered persons under the health insurance plan or Medicaid managed care plan, including dependents and children. Medicaid services must be provided at no cost to the recipient. The bill does not apply to health plans that are not required to provide contraceptive coverage under the federal Patient Protection and Affordable Care Act.

This research note was prepared by Legislative Council Staff, the nonpartisan research staff for the Colorado General Assembly. The research note is provided for informational purposes only and should not be relied upon as an official record of action by the General Assembly. Legislative Council Staff are not attorneys, and the research note is not a legal opinion. If you have legal questions about the bill, including questions about the meaning of the bill language or amendments, please contact the drafter.

Background

Patient Protection and Affordable Care Act. The federal Patient Protection and Affordable Care Act, enacted in 2010, requires health insurance plans to cover at least one method from each of the 18 contraceptive methods approved by the federal Food and Drug Administration with no cost sharing to the covered individual. Certain religious employers, such as places of worship, are exempt from the requirement to provide contraceptive coverage. Some health insurance plans that existed prior to the act are "grandfathered" in to the act's requirements and are exempt from providing coverage for contraceptives. Nonprofit religious organizations are not required to contract, arrange, pay, or refer for contraceptive coverage; contraceptive coverage for such organizations is arranged through a third-party administrator.

Medicaid coverage of contraceptives. According to the Department of Health Care Policy and Financing, Medicaid currently covers one comprehensive family planning office visit annually, surgical sterilization for clients aged 21 years and older, and contraceptives. Contraceptives are available in a three-month supply from a pharmacy, or six-month supply from a provider. Various limits on certain types of contraceptives may apply. Emergency contraceptives are available with a prescription.

House Action

House Health, Insurance, and Environment Committee (March 17, 2016). At the hearing, representatives of the Colorado Medical Society, the Colorado Section of the American Congress of Obstetricians and Gynecologists, 9 to 5 Colorado, the American Association of University Women of Colorado, Interfaith Alliance, Colorado Consumer Health Initiative, Colorado Organization for Latina Opportunity and Reproductive Rights, Women's Lobby of Colorado, League of Women Voters of Colorado, Health Care for All Colorado, and NARAL Pro-Choice Colorado, and several private citizens testified in support of the bill. Representatives of Colorado Right to Life, Colorado Association of Health Plans, Denver Health, and America's Health Insurance Plans, and one private citizen testified in opposition to the bill. The committee adopted amendment L.004 and referred the bill to the House Committee of the Whole. The amendment made a technical conforming amendment to the bill.

House second reading (March 28, 2016). The House adopted the House Health, Insurance, and Environment Committee report and passed the bill on second reading, as amended.

House third reading (March 29, 2016). The House passed the bill on third reading with no amendments.

Senate Action

Senate State, Veterans, and Military Affairs Committee (April 11, 2016). At the hearing, representatives of Colorado Organization for Latina Opportunity and Reproductive Rights, the Women's Lobby of Colorado, 9 to 5 Colorado, the Colorado Consumer Health Initiative, and NARAL Pro-Choice Colorado and three private citizens testified in support of the bill. Representatives of the Colorado Association of Health Plans, Denver Health, and America's Health Insurance Plans testified in opposition to the bill. The committee postponed the bill indefinitely.