

# House Bill 3343

Sponsored by Representative VEGA PEDERSON

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires medical assistance program to include 12 months' coverage of prescription contraceptives under specified conditions. Requires insurers that cover prescription contraceptives to cover refills for duration of plan year.

## A BILL FOR AN ACT

1  
2 Relating to contraceptives; creating new provisions; and amending ORS 743A.066.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1. Section 2 of this 2015 Act is added to and made a part of ORS chapter 414.**

5 **SECTION 2. (1) The health care and services provided to medical assistance recipients**  
6 **under ORS 414.065 must include prescription contraceptives.**

7 **(2) Prescription contraceptives must be covered for a period of 12 months, provided that**  
8 **the recipient:**

9 **(a) Is eligible to receive medical assistance; and**

10 **(b) Has a valid prescription.**

11 **(3) As used in this section, "prescription contraceptive" means a drug or device that re-**  
12 **quires a prescription and is approved by the United States Food and Drug Administration to**  
13 **prevent pregnancy.**

14 **SECTION 3. ORS 743A.066 is amended to read:**

15 743A.066. (1) A prescription drug benefit program, or a prescription drug benefit offered under  
16 a health benefit plan as defined in ORS 743.730 or under a student health insurance policy, must  
17 provide payment, coverage or reimbursement for:

18 (a) Prescription contraceptives; and

19 (b) If covered for other drug benefits under the program, plan or policy, outpatient consultations,  
20 examinations, procedures and medical services that are necessary to prescribe, dispense, deliver,  
21 distribute, administer or remove a prescription contraceptive.

22 (2) The coverage required by subsection (1) of this section:

23 (a) May be subject to provisions of the program, plan or policy that apply equally to other  
24 prescription drugs covered by the program, plan or policy, including but not limited to required  
25 copayments, deductibles and coinsurance; **and**

26 **(b) Must be for the duration of the plan year.**

27 (3) As used in this section, "**prescription contraceptive**" means a drug or device **that requires**  
28 **a prescription and is approved by the United States Food and Drug Administration to prevent**  
29 **pregnancy.**

30 (4) A religious employer is exempt from the requirements of this section with respect to a pre-  
31 scription drug benefit program or a health benefit plan it provides to its employees. A "religious

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 employer” is an employer:

2 (a) Whose purpose is the inculcation of religious values;

3 (b) That primarily employs persons who share the religious tenets of the employer;

4 (c) That primarily serves persons who share the religious tenets of the employer; and

5 (d) That is a nonprofit organization under section 6033(a)(2)(A)(i) or (iii) of the Internal Revenue  
6 Code.

7 (5) This section is exempt from the provisions of ORS 743A.001.

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