

IN THE SENATE

SENATE BILL NO. 1098

BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT

1 RELATING TO INSURANCE; AMENDING CHAPTER 18, TITLE 41, IDAHO CODE, BY THE AD-  
2 DITION OF A NEW SECTION 41-1853, IDAHO CODE, TO DEFINE TERMS, TO PRO-  
3 VIDE REQUIREMENTS FOR HEALTH BENEFIT PLANS AND STUDENT HEALTH BENEFIT  
4 PLANS COVERING PRESCRIPTION CONTRACEPTION, AND TO PROVIDE THAT THE SEC-  
5 TION SHALL NOT BE CONSTRUED TO REQUIRE CERTAIN REIMBURSEMENT.  
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7 Be It Enacted by the Legislature of the State of Idaho:

8 SECTION 1. That Chapter 18, Title 41, Idaho Code, be, and the same is  
9 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
10 ignated as Section 41-1853, Idaho Code, and to read as follows:

11 41-1853. PLANS COVERING CONTRACEPTION. (1) As used in this section:

12 (a) "Health benefit plan" shall have the same meaning as provided in  
13 section 41-5501, Idaho Code.

14 (b) "Prescription contraception" means all drugs, devices, and prod-  
15 ucts approved by the United States food and drug administration that  
16 are used to prevent pregnancy and that are prescribed by an enrollee's  
17 provider. The term "prescription contraception" does not include  
18 drugs, devices, or products intended to induce abortion as defined by  
19 section 18-604, Idaho Code.

20 (2) A health benefit plan or student health benefit plan issued or re-  
21 newed on or after January 1, 2022, that includes coverage for contraception  
22 must provide reimbursement for contraception intended to last twelve (12)  
23 months obtained at one (1) time by the enrollee, unless the enrollee requests  
24 a smaller supply or the prescribing provider instructs that the enrollee  
25 must receive a smaller supply. The health benefit plan or student health  
26 benefit plan must allow enrollees to receive the contraception on-site at  
27 the provider's office if available. Any dispensing practices required by  
28 the plan must follow clinical guidelines for appropriate prescribing and  
29 dispensing to ensure the health of the patient while maximizing access to  
30 effective contraception.

31 (3) Nothing in this section shall be construed to require a health  
32 benefit plan or a student health benefit plan to provide reimbursement for  
33 drugs, devices, or products intended to induce abortion as defined in sec-  
34 tion 18-604, Idaho Code, or for any emergency contraception approved by the  
35 United States food and drug administration.