

ACT 365

S.B. NO. 1148

A Bill for an Act Relating to Health Insurance.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Chapter 431, Hawaii Revised Statutes, is amended by adding a new section to Article 10A to be appropriately designated and to read as follows:

“§431:10A- Contraceptive services; options. (a) Notwithstanding any provision of law to the contrary, each employer group health policy, contract, plan, or agreement issued or renewed in this State on or after January 1, 1994, that provides for payment of or reimbursement for pregnancy-related services, shall provide as an employer option, contraceptive services for the subscriber or any dependent of the subscriber who is covered by the policy.

(b) Any policies, contracts, plans, or agreements under subsection (a) above, that provide prescription drug coverage, shall not exclude any FDA-approved prescriptive contraceptive drug or device, or impose any unusual co-payment, charge, or waiting requirement for such drug or device.

(c) For the purpose of this section, "contraceptive services" means physician-delivered, physician-supervised, physician assistant-delivered, certified nurse midwife-delivered, or nurse-delivered medical services intended to promote the effective use of prescription contraceptive supplies or devices to prevent unwanted pregnancy.

(d) Nothing in this section shall be construed to extend the practice or privileges of any health care provider beyond that provided in the laws governing the provider's practice and privileges."

SECTION 2. Chapter 432, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"§432- Contraceptive services; options. (a) Notwithstanding any provision of law to the contrary, each employer group health policy, contract, plan, or agreement issued or renewed in this State on or after January 1, 1994, that provides for payment of or reimbursement for pregnancy-related services, shall provide as an employer option, contraceptive services and contraceptive prescription drug coverage for the subscriber or any dependent of the subscriber who is covered by the policy.

(b) Any policies, contracts, plans, or agreements under subsection (a) above, that provide prescription drug coverage, shall not exclude any FDA-approved prescriptive contraceptive drug or device, or impose any unusual co-payment, charge, or waiting requirement for such drug or device.

(c) For the purpose of this section, "contraceptive services" means physician-delivered, physician-supervised, physician assistant-delivered, certified nurse midwife-delivered, or nurse-delivered medical services intended to promote the effective use of prescription contraceptive supplies or devices to prevent unwanted pregnancy.

(d) Nothing in this section shall be construed to extend the practice or privileges of any health care provider beyond that provided in the laws governing the provider's practice and privileges."

SECTION 3. New statutory material is underscored.¹

SECTION 4. This Act shall take effect upon its approval.

(Approved July 8, 1993.)

Note

1. Edited pursuant to HRS §23G-16.5.