

# HOUSE BILL NO. 5013

September 19, 2023, Introduced by Reps. Rogers, Pohutsky, Wilson, Conlin, Glanville, Arbit, Morgan, Tsernoglou, Morse, Brabec, McFall, Paiz, Aiyash, Puri, Hope, Coffia, Scott, Weiss, Rheingans, Steckloff, Price, Hood, Brixie and Miller and referred to the Committee on Health Policy.

A bill to amend 1956 PA 218, entitled  
"The insurance code of 1956,"  
(MCL 500.100 to 500.8302) by adding section 3406z.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           **Sec. 3406z. (1) A health insurance policy delivered, issued**  
2 **for delivery, or renewed in this state that provides coverage for**  
3 **prescription contraceptives must include coverage for all of the**  
4 **following:**

5           **(a) A 12-month supply of prescription contraceptives furnished**

1 or dispensed at 1 time, unless the insured requests a smaller  
2 supply or the prescriber instructs that the insured must receive a  
3 smaller supply.

4 (b) If covered for other prescription drugs under the health  
5 insurance policy, outpatient consultations, examinations,  
6 procedures, and medical services that are necessary to prescribe,  
7 dispense, deliver, distribute, administer, or remove a prescription  
8 contraceptive.

9 (c) A prescription contraceptive that the insured's prescriber  
10 determines is medically necessary for the insured.

11 (2) The coverage required under subsection (1) must provide  
12 coverage for the furnishing or dispensing of up to a 12-month  
13 supply of prescription contraceptives regardless of whether the  
14 insured was covered under the health insurance policy at the time  
15 the prescription contraceptive was first dispensed.

16 (3) Subject to subsection (4), coverage under subsection (1)  
17 may be subject to provisions of the health insurance policy that  
18 apply equally to other prescription drugs covered by the health  
19 insurance policy, including, but not limited to, required  
20 copayments, deductibles, and coinsurance.

21 (4) An insurer that delivers, issues for delivery, or renews  
22 in this state a health insurance policy described in subsection (1)  
23 shall not impose utilization controls or other forms of medical  
24 management that limit the supply or coverage of a prescription  
25 contraceptive that may be dispensed or furnished by a prescriber or  
26 pharmacy to an amount that is less than a 12-month supply unless  
27 clinical trials determine that a 12-month supply is medically  
28 inappropriate.

29 (5) As used in this section:

1           (a) "Pharmacy" means that term as defined in section 17707 of  
2 the public health code, 1978 PA 368, MCL 333.17707.

3           (b) "Prescriber" means that term as defined in section 17708  
4 of the public health code, 1978 PA 368, MCL 333.17708.

5           (c) "Prescription contraceptive" means a drug, device, or  
6 other product, including, but not limited to, a hormonal drug,  
7 whether administered orally, transdermally, or intravaginally, that  
8 requires a prescription and is approved by the United States Food  
9 and Drug Administration to prevent pregnancy.

10           Enacting section 1. This amendatory act applies to health  
11 insurance policies delivered, executed, issued, amended, adjusted,  
12 or renewed in this state, or outside of this state if covering  
13 residents of this state, beginning 90 days after the date this  
14 amendatory act is enacted into law.