

Subject Health plan and medical assistance coverage of over-the-counter contraceptives

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Overview

Under current law, health plans subject to state law must cover contraceptive methods and services, with certain exceptions. This bill specifies that contraceptive methods include both prescription contraceptives and over-the-counter (OTC) contraceptives, and provides for health plan coverage of OTC contraceptives. It also requires medical assistance coverage of OTC contraceptives.

Summary

Section	Description
1	<p>Definitions.</p> <p>Amends § 62Q.522, subd. 1. In a section governing coverage of contraceptive methods and services, modifies the definition of contraceptive method to include both prescription contraceptives and OTC contraceptives. Defines over-the-counter contraceptive and prescription contraceptive.</p> <p>Effective date: This section is effective January 1, 2025, and applies to health plans offered, issued, or renewed on or after that date.</p>
2	<p>Required coverage; cost sharing prohibited.</p> <p>Amends § 62Q.522, subd. 2. Provides that the requirements for a health plan to cover at least one type of Food and Drug Administration-approved contraceptive, list the contraceptives available without cost sharing, and cover a specific contraceptive for an enrollee if medically necessary, apply to prescription contraceptives. Requires a health plan to cover all types and brands of OTC contraceptives, requires this coverage to apply at point-of-sale, and prohibits a health plan from limiting the type, quantity, or purchase frequency of OTC contraceptives. If application of this subdivision would make an enrollee ineligible to use a health savings account or</p>

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	<p>catastrophic health plan, provides this subdivision applies to coverage of contraceptives after the enrollee meets the health plan deductible.</p> <p>This section is effective January 1, 2025, and applies to health plans offered, issued, or renewed on or after that date.</p>
3	<p>Exemption.</p> <p>Amends § 62Q.522, subd. 3. Modifies terms used in a subdivision providing exempt organizations are not required to cover contraceptive methods or services.</p>
4	<p>Drugs.</p> <p>Amends § 256B.0625, subd. 13. Provides that medical assistance covers all types and brands of OTC contraceptives, as provided in section 62Q.522.</p> <p>Effective date: This section is effective January 1, 2025.</p>
5	<p>Outreach and reports.</p> <p>Requires the Department of Commerce to coordinate with the Department of Health and Department of Human Services to:</p> <ul style="list-style-type: none">▪ provide information and outreach to health plan companies, health plan enrollees, and public program enrollees on coverage of OTC contraceptives; and▪ report annually to the legislative committees with jurisdiction over commerce, health, and human services, on the use of health plan coverage of OTC contraceptives and costs to health plans and the state to cover OTC contraceptives.



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