

Enrolled House Bill 3343

Sponsored by Representatives VEGA PEDERSON, WILLIAMSON, KENY-GUYER, SMITH WARNER, Senators PROZANSKI, RILEY, STEINER HAYWARD; Representatives BARKER, BARNHART, BARTON, BOONE, BUCKLEY, CLEM, DAVIS, DOHERTY, FAGAN, FREDERICK, GALLEGOS, GOMBERG, GORSEK, GREENLICK, HACK, HELM, HOLVEY, HOYLE, KOMP, KOTEK, LININGER, LIVELY, MCLAIN, NOSSE, PILUSO, RAYFIELD, READ, REARDON, TAYLOR, WITT, Senators BATES, BOQUIST, BURDICK, DEMBROW, FERRIOLI, GELSER, GIROD, HASS, KNOPP, KRUSE, MONNES ANDERSON, MONROE, ROSENBAUM, SHIELDS, THOMSEN, WINTERS

CHAPTER

AN ACT

Relating to contraceptives; amending ORS 743A.066.

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

SECTION 1. ORS 743A.066 is amended to read:

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

(a) Prescription contraceptives; and

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

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

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

(b) Must reimburse a health care provider or dispensing entity for a dispensing of contraceptives intended to last for a:

(A) Three-month period for the first dispensing of the contraceptive to an insured; and

(B) Twelve-month period for subsequent dispensings of the same contraceptive to the insured regardless of whether the insured was enrolled in the program, plan or policy at the time of the first dispensing.

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

(4) A religious employer is exempt from the requirements of this section with respect to a prescription drug benefit program or a health benefit plan it provides to its employees. A “religious employer” is an employer:

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

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

- (c) That primarily serves persons who share the religious tenets of the employer; and
- (d) That is a nonprofit organization under section 6033(a)(2)(A)(i) or (iii) of the Internal Revenue Code.
- (5) This section is exempt from the provisions of ORS 743A.001.

Passed by House April 30, 2015

.....
 Timothy G. Sekerak, Chief Clerk of House

.....
 Tina Kotek, Speaker of House

Passed by Senate June 2, 2015

.....
 Peter Courtney, President of Senate

Received by Governor:

.....M,....., 2015

Approved:

.....M,....., 2015

.....
 Kate Brown, Governor

Filed in Office of Secretary of State:

.....M,....., 2015

.....
 Jeanne P. Atkins, Secretary of State