

LEGISLATURE OF NEBRASKA  
ONE HUNDRED SEVENTH LEGISLATURE  
FIRST SESSION

**LEGISLATIVE BILL 20**

Introduced by Blood, 3.

Read first time January 07, 2021

Committee: Banking, Commerce and Insurance

- 1 A BILL FOR AN ACT relating to public health and welfare; to amend section
- 2 68-901, Revised Statutes Cumulative Supplement, 2020; to provide
- 3 requirements for insurance coverage of prescribed contraceptives and
- 4 obtaining prescribed contraceptives under the medical assistance
- 5 program; to harmonize provisions; and to repeal the original
- 6 section.
- 7 Be it enacted by the people of the State of Nebraska,

1           Section 1. (1) Notwithstanding section 44-3,131, any individual or  
2 group sickness and accident insurance policy, certificate, or subscriber  
3 contract delivered, issued for delivery, or renewed in this state and any  
4 hospital, medical, or surgical expense-incurred policy, except for  
5 policies that provide coverage for a specified disease or other limited-  
6 benefit coverage, and any self-funded employee benefit plan to the extent  
7 not preempted under federal law shall include coverage for a self-  
8 administered hormonal contraceptive that is approved by the federal Food  
9 and Drug Administration and shall reimburse an in-network health care  
10 provider or dispensing entity on a per-unit basis for dispensing a supply  
11 of such contraceptives to a covered individual as follows:

12           (a) For the first prescription of such contraceptive, at least up to  
13 a three-month supply, if so prescribed; and

14           (b) For subsequent refills of the same contraceptive, regardless of  
15 whether the covered individual was enrolled in the policy, certificate,  
16 contract, or plan at the time of the first prescription for such  
17 contraceptive, up to a twelve-month supply, if so prescribed.

18           (2) Nothing in this section shall be construed to:

19           (a) Require a health care provider to prescribe a twelve-month  
20 supply of a self-administered hormonal contraceptive; or

21           (b) Permit a policy, certificate, contract, or plan to impose cost-  
22 sharing for an alternative method of contraception if a covered  
23 individual changes contraceptive methods before exhausting a previously  
24 dispensed supply of a self-administered hormonal contraceptive.

25           Sec. 2. Section 68-901, Revised Statutes Cumulative Supplement,  
26 2020, is amended to read:

27           68-901 Sections 68-901 to 68-9,100 and section 3 of this act shall  
28 be known and may be cited as the Medical Assistance Act.

29           Sec. 3. (1) In providing family planning services and supplies  
30 under the medical assistance program, the department shall ensure that a  
31 prescription for the dispensation, at one time, of a twelve-month supply

1 of a covered self-administered hormonal contraceptive is provided as  
2 prescribed.

3 (2) Nothing in this section shall be construed to limit a medical  
4 assistance recipient's freedom to choose or change the method of family  
5 planning to use, regardless of whether the recipient has exhausted a  
6 previously dispensed supply of contraceptives.

7 Sec. 4. Original section 68-901, Revised Statutes Cumulative  
8 Supplement, 2020, is repealed.