



Senate Fiscal Agency
P.O. Box 30036
Lansing, Michigan 48909-7536

BILL ANALYSIS



Telephone: (517) 373-5383
Fax: (517) 373-1986

House Bill 5013 (Substitute H-3 as passed by the House)

Sponsor: Representative Julie M. Rogers

House Committee: Health Policy

Senate Committee: Health Policy

Date Completed: 12-10-24

CONTENT

The bill would amend Chapter 34 (Disability Insurance Policies) of the Insurance Code to do the following:

- **Require an insurer that provided coverage for prescription contraceptives to cover a 12-month supply of prescription contraceptives and medical services associated with access to prescription contraceptives.**
- **Specify that an insurer could treat coverage for prescription contraceptives like other prescription drugs covered by the insurer, such as by requiring copayments, deductibles, or coinsurance.**
- **Prohibit an insurer from limiting the supply or coverage of a 12-month supply of prescription contraceptives unless the 12-month supply was deemed medically inappropriate by the United States Food and Drug Administration (FDA).**

The bill would apply to health insurance policies delivered, executed, issued, amended, adjusted, or renewed in Michigan, or outside of Michigan if covering residents of Michigan, beginning December 31, 2025.

Under the bill, a health insurance policy delivered, issued for delivery, or renewed in Michigan that provided coverage for prescription contraceptives would have to include coverage for the following:

- A 12-month supply of prescription contraceptives that was on the covered insured's health plan formulary, furnished or dispensed, at a pharmacy in the insurer's network, all at one time, unless the insured requested a smaller supply or the prescriber instructed that the insured would have to receive a smaller supply.
- If covered for other prescription drugs under the health insurance policy, outpatient consultations, examinations, procedures, and medical services that were necessary to prescribe, dispense, deliver, distribute, administer, or remove a prescription contraceptive.

"Prescription contraceptive" would mean a drug, device, or other product, including a hormonal drug, whether administered orally, transdermally, or intravaginally, that requires a prescription and is approved by the FDA to prevent pregnancy.

The coverage required above would have to provide coverage for the furnishing or dispensing of up to a 12-month supply of prescription contraceptives regardless of whether the insured was covered under the health insurance policy at the time the prescription contraceptive was first dispensed.

Subject to the provisions below, coverage as described above could be subject to provisions of the health insurance policy that applied equally to other prescription drugs covered by the health insurance policy, including required copayments, deductibles, and coinsurance.

An insurer that delivered, issued for delivery, or renewed in Michigan a health insurance policy described above could not impose utilization controls or other forms of medical management that limited the supply or coverage of a prescription contraceptive that could be dispensed or furnished by a prescriber or pharmacy to an amount that was less than a 12-month supply unless the FDA determined that a 12-month supply was medically inappropriate.

An insurer would not be required to provide coverage for a 12-month supply of prescription contraceptives in the one-month period before the end of an insured's plan year.

Proposed MCL 500.3406jj

Legislative Analyst: Alex Krabill

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Nathan Leaman

SAS\S2324\s5013sa

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.