

SUBSTITUTE FOR
HOUSE BILL NO. 5013

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

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 3406jj. (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 both of the
4 following:

5 (a) A 12-month supply of prescription contraceptives that are
6 on the covered insured's health plan formulary, furnished or
7 dispensed, at a pharmacy in the insurer's network, all at 1 time,
8 unless the insured requests a smaller supply or the prescriber
9 instructs that the insured must receive a smaller supply.

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

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

11 (3) Subject to subsection (4), coverage under subsection (1)
12 may be subject to provisions of the health insurance policy that
13 apply equally to other prescription drugs covered by the health
14 insurance policy, including, but not limited to, required
15 copayments, deductibles, and coinsurance.

16 (4) An insurer that delivers, issues for delivery, or renews
17 in this state a health insurance policy described in subsection (1)
18 shall not impose utilization controls or other forms of medical
19 management that limit the supply or coverage of a prescription
20 contraceptive that may be dispensed or furnished by a prescriber or
21 pharmacy to an amount that is less than a 12-month supply unless
22 the United States Food and Drug Administration determines that a
23 12-month supply is medically inappropriate.

24 (5) An insurer is not required to provide coverage for a 12-
25 month supply of prescription contraceptives in the 1-month period
26 before the end of an insured's plan year.

27 (6) As used in this section:

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

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

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

8 Enacting section 1. This amendatory act applies to health
9 insurance policies delivered, executed, issued, amended, adjusted,
10 or renewed in this state, or outside of this state if covering
11 residents of this state, beginning December 31, 2025.